

LIMITED IN-PERSON ATTENDANCE PERMITTED

Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a “first-come” basis.

*Additionally, to ensure the meeting otherwise remains open to the public, we will continue to broadcast it live on the County’s YouTube channel, which can be found via the County’s website at Oconeesc.com. Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **859 4443 3466**. And, individuals parked in close proximity to Council Chambers may listen to the meeting on FM 92.3.*



A G E N D A

OCONEE COUNTY COUNCIL MEETING

August 18, 2020

6:00 PM

Council Chambers, Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

Call to Order

Public Comment Session

[Limited to a total of forty (40) minutes, four (4) minutes per person.]

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at ksmith@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

Council Member Comments

Moment of Silence

Invocation by County Council Chaplain

Pledge of Allegiance to the Flag of the United States of America

Approval of Minutes

- July 21, 2020 Regular Minutes

Administrator Comments

Attorney Comments

Presentation to Council

- Create an Oconee County SC Commission on Native American Affairs / Luther Lyle

COUNCIL MEMBERS

Julian Davis, III, Chairman, District IV Paul Cain, Vice-Chair, District III
John Elliott, Chair Pro Tem, District I Wayne McCall, District II
Glenn Hart, District V

Proclamation 2020-05

- **Proclamation 2020-05** Recognizing the 100th Anniversary of the 19th Amendment and the efforts of the Women’s suffrage movement to guarantee the right for all women to vote

Proclamation 2020-06

- **Proclamation 2020-06** Proclaiming the Week of August 9th through August 15th as Rosa Clark Medical Center Awareness Week in Oconee County in Coordination with National Health Center Awareness Week

Public Hearings for the Following Ordinances

Ordinance 2020-09 “AN ORDINANCE AMENDING THE “SIGN CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA.”

Ordinance 2020-10 “AN ORDINANCE AMENDING THE ENFORCEMENT AND PENALTY PROVISIONS OF THE “LITTER CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA.”

Third Reading of the Following Ordinances

Ordinance 2020-09 *[see caption above]*

Ordinance 2020-10 *[see caption above]*

Second Reading of the Following Ordinances

[None Scheduled]

First Reading of the Following Ordinances

[None Scheduled]

First and Only Reading of the Following Ordinance

Ordinance 2020-14(E) “AN EMERGENCY ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

First & Final Reading for the Following Resolutions

Resolution 2020-05 “A RESOLUTION DIRECTING THE OCONEE COUNTY PLANNING COMMISSION TO CONDUCT STUDIES AND RECOMMEND AN IMPACT FEE ORDINANCE, PURSUANT TO S.C. CODE § 6-1-950.”

Resolution 2020-06 “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A DIVE TEAM AGREEMENT BETWEEN THE OCONEE COUNTY EMERGENCY SERVICES DEPARTMENT AND THE OCONEE COUNTY SHERIFF’S OFFICE.”

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Discussion Regarding Action Items

Refurbish 973C Caterpillar Track Loader / Solid Waste /

Estimated Amount \$238,201.21

Contingency: \$30,000.00

\$268,201.21

Budget: \$1,196,728 / **Project Cost:** \$268,201.21 / **Balance:** \$928,526.79

Funding from Capital Equipment and Vehicle Capital Project Fund

Solid Waste has a 2007 973C Caterpillar Track Loader that is used in the landfill to move material and haul debris. This piece of equipment continues to have breakdown issues; which is a result of many years / hours of wear and tear and is in need of replacement or refurbishing. Due to the cost of a new track loader vs. refurbish, the recommendation of the Vehicle Maintenance Director is to refurbish the track loader. Blanchard CAT will rebuild all of the mechanical parts on the machine; including new bearings and seals, and will include a 36 month / 5,000-hour powertrain warranty. Staff is requesting a contingency of \$30,000.00 to cover any unforeseen issues that arise during the refurbish. It is estimated that the refurbish repair of the track loader will take approximately 6 months.

It is the staff's recommendation that Council [1] approve the refurbish of the 973C Caterpillar track loader in the estimated amount of \$238,201.21 plus \$30,000.00 contingency for a total amount of \$268,201.21 to Blanchard CAT of Columbia, SC. and [2] authorize the County Administrator to approve and sign any change orders within the contingency amount.

Dozer Rental for Landfill Change Order #2 - PO 53915 / Solid Waste / \$89,130.00

Budget: \$89,130 / **Project Cost:** \$89,130 / **Balance:** \$ 0.00

Funding from General Fund Solid Waste Department

In a previous Action Item for Refurbish of a 2007 Caterpillar 973 Track Loader, staff explained the down time of this machine is estimated to be six (6) months. Solid Waste uses this piece of equipment in the landfill to move material and haul debris and cannot be without equipment while under repair.

On June 15, 2020 the 2007 Caterpillar 973 Dozer was sent to Blanchard CAT for diagnostics and repair pricing. Purchase order number 53915 was issued to Flint Equipment of Simpsonville, SC in the amount of \$18,973.00 for one (1) month rental of a 2018 John Deere 1050K Dozer to keep the landfill operating. Change Order # 1 to PO 53915 was issued on July 22, 2020 in the amount of \$14,855.00 for a second month rental; current purchase order total is \$33,828.00.

The repair / refurbish is estimated to take +/- six (6) months. Rental of the 2018 John Deer 1050K Dozer will be required during the repair. Staff is requesting Council approval for an estimated six (6) additional months' rental at \$14,855.00 per month. The total request for Change Order #2 is \$89,130.00 making the purchase order total \$122,958.00.

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It is the staff's recommendation that Council [1] approve Change Order # 2 PO 53915 to Flint Equipment of Simpsonville, SC for the rental extension of the 1050K Dozer in the amount of \$89,130.00. This will bring the total amount of the PO to \$122,958.00 and [2] authorize the County Administrator to sign / execute the change order.

Letter of Support to Oconee County Legislative Delegation

Request for Council to approve a letter of support to be sent to Oconee County Legislative Delegation regarding the opioid overdose epidemic in Oconee County.

Letter of Support to US Congressmen

Request for Council to approve a letter of support to be sent to the US Congressmen to preserve qualified immunity.

Council approval to transfer \$15,000 from the General Operational Fund to the Capital Projects Fund for a land acquisition per Council approval on July 21, 2020

Council Committee Reports

Law Enforcement, Public Safety, Health & Welfare / Mr. McCall.....[07/21/2020]
Planning & Economic Development / Mr. Cain.....[07/21/2020]

Board & Commission Appointments (IF ANY) [Seats listed are all co-terminus seats]

- *Building Codes Appeal Board.....1 At Large Seat**
- *Board of Zoning Appeals.....District 5**
- *Conservation Bank Board.....District 5 & 1 At Large Seat**
- *Arts & Historical Commission.....District 4**

**No questionnaires on file for the seats listed above*

Executive Session

[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]

For the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

- [1] Receive legal advice and discuss contractual matter, and related potential contractual matter, with respect to the disposition of certain County-owned property.*
- [2] Discussion regarding an Economic Development matter, Project Urban Mine.*
- [3] Discussion regarding an Economic Development matter, Project Dolly.*
- [4] Discussion regarding an Economic Development matter, Project Three Points.*

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[5] Receive legal advice and discuss potential purchase of various property interests in relation to the extension of sewer infrastructure to I-85.

Adjourn

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers.

ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Oconee County Council, Committee, Board & Commission meeting schedules, agendas are posted at the Oconee County Administration Building & are available on the County Council Website.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

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OCONEE CODE OF ORDINANCES

Sec. 2-61. - Access to and conduct at county meetings, facilities and property.

(a) *Purpose.* The county council has determined that it is necessary to regulate access to county facilities, grounds and property in order to ensure the safety and security of the public who visit these areas or the county employees who serve them. The conduct of persons who visit county facilities and/or who have contact with county employees must also be regulated to preserve public order, peace and safety. The regulation of access and conduct must be balanced with the right of the public to have reasonable access to public facilities and to receive friendly, professional service from county employees. These regulations apply to all county facilities and meetings, as defined below, for and over which county council exercises control and regulation, and to the extent, only, not preempted by state or federal law.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Facility means any building, structure, or real property owned, leased, rented, operated or occupied by the county or one of its departments, offices or agencies.

Meeting means any assemblage of persons for the purpose of conducting county governmental business, operations or functions or any assemblage of persons within a county governmental facility. The term "meeting" includes, but is not limited to, county council meetings, county board and committee and staff meetings, trials, hearings and other proceedings conducted in the courts of general sessions and common pleas, family court, master-in-equity, probate court and magistrate's court; and other meetings by entities duly authorized by the county council.

(c) *Prohibited acts.* It shall be unlawful for any person to:

- (1) Utter loud, obscene, profane, threatening, disruptive or abusive language or to engage in any disorderly or disruptive conduct that impedes, disrupts or disturbs the orderly proceedings of any meeting, or operations of any department or function of the county government, including, without limitation, speaking when not explicitly recognized and authorized to do so by the presiding official in such meeting.
- (2) Bring, carry, or otherwise introduce any firearm, knife with blade longer than two inches or other dangerous weapon, concealed or not concealed, into any facility or meeting. This prohibition does not apply to law enforcement personnel or any other person whose official, governmental duties require them to carry such firearm, knife, or other weapon.
- (3) Engage in partisan political activity, including speech, in any meeting not authorized and called for the purpose of partisan political activity and explicitly authorized for such purpose in the facility in which such activity is to be conducted, or refusing to cease such activity when the presiding official of the meeting in question has ruled that the activity in question is partisan political activity and has directed that such activity stop.
- (4) Interfere with, impede, hinder or obstruct any county governmental official or employee in the performance of his duties, whether or not on county government property.
- (5) Enter any area of a county government facility, grounds or property when such entry is prohibited by signs, or obstructed or enclosed by gates, fencing or other physical barriers. Such areas include rooms if clearly marked with signs to prohibit unauthorized entry.
- (6) Enter by vehicle any area of a county governmental facility, grounds or property when such area is prohibited by signs or markings or are obstructed by physical barriers; or park a vehicle in such restricted areas; or park in a manner to block, partially block or impede the passage of traffic in driveways; or park within 15 feet of a fire hydrant or in a fire zone; or park in any area not designated as a parking space; or park in a handicapped parking space without proper placarding or license plate; or park in a reserved parking space without authorization.

- (7) Use any county governmental facility, grounds or other property for any purpose not authorized by law or expressly permitted by officials responsible for the premises.
 - (8) Enter without authorization or permission or refuse to leave any county governmental facility, grounds or other property after hours of operation.
 - (9) Obstruct or impede passage within a building, grounds or other property of any county governmental facility.
 - (10) Enter, without legal cause or good excuse, a county governmental facility, grounds or property after having been warned not to do so; or, having entered such property, fail and refuse without legal cause or good excuse to leave immediately upon being ordered or requested to do so by an official, employee, agent or representative responsible for premises.
 - (11) Damage, deface, injure or attempt to damage, deface or injure a county governmental property, whether real property or otherwise.
 - (12) Enter or attempt to enter any restricted or nonpublic ingress point or any restricted access area, or bypass or attempt to bypass the designated public entrance or security checkpoint of a facility without authorization or permission.
 - (13) Perform any act which circumvents, disables or interferes with or attempts to circumvent, disable or interfere with a facility's security system, alarm system, camera system, door lock or other intrusion prevention or detection device. This includes, without limitation, opening, blocking open, or otherwise disabling an alarmed or locked door or other opening that would allow the entry of an unauthorized person into a facility or restricted access area of the facility.
 - (14) Exit or attempt to exit a facility through an unauthorized egress point or alarmed door.
- (d) *Penalty for violation of section.* Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-7. In addition, vehicles that are improperly parked on any county property, facility, or other premises may be towed at the owner's expense.

(Ord. No. 2003-04, §§ 1—4, 4-15-2003; Ord. No. 2012-06, § 1, 4-3-2012)

Proposal: To create an Oconee County SC Commission on Native American Affairs

The Oconee County Commission on Native American Affairs would serve as representatives of the Native American population in Oconee County, SC.

Whereas: Native Americans have lived in what is now Oconee County for over ten thousand years, and their descendents continue to reside in Oconee County today, and

Whereas: there were at one time over twenty seven Cherokee villages throughout Oconee County, and

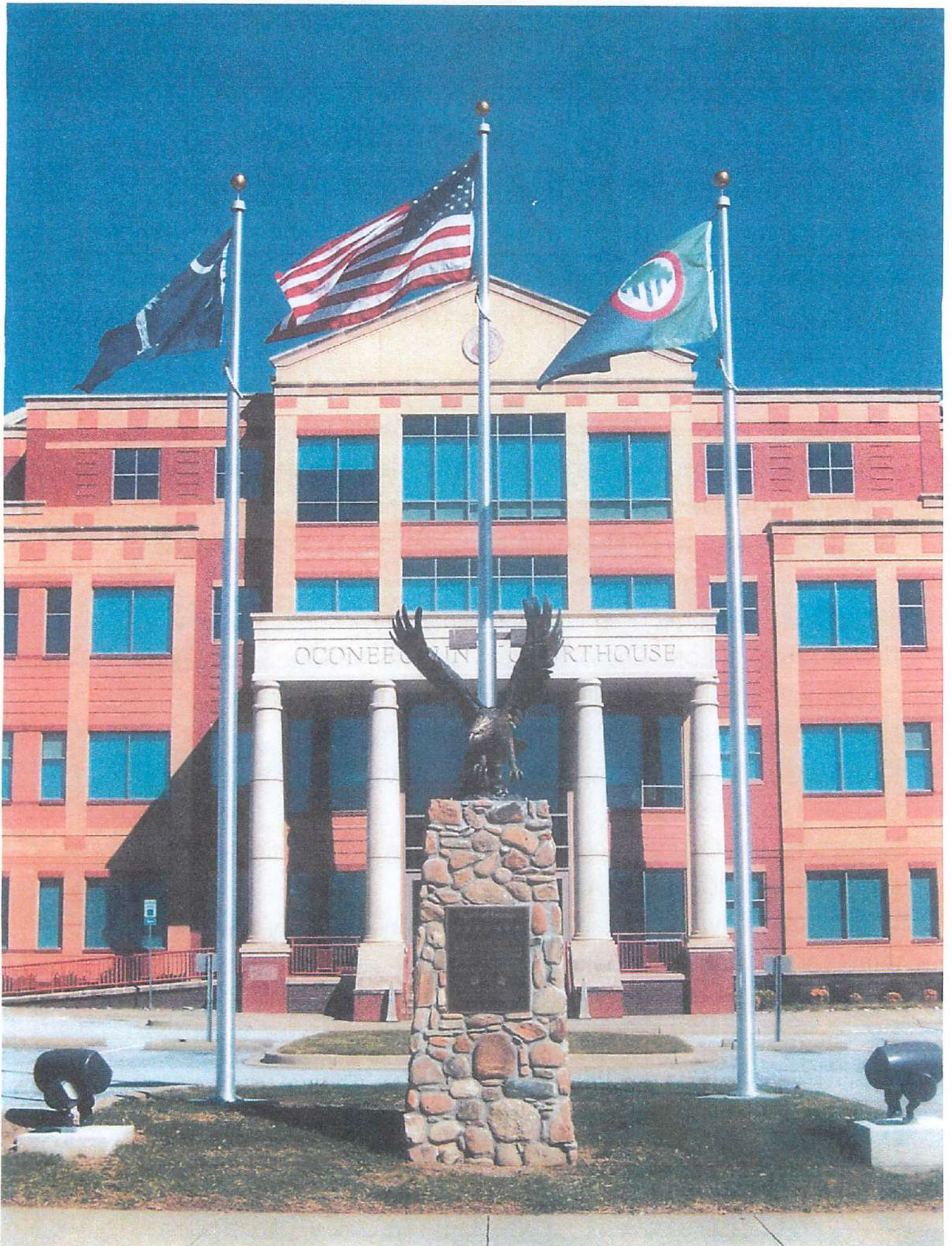
Whereas: many geographic place names in Oconee County were derived from historic Cherokee sites, such as Keowee, Toxaway, Chattooga, Chauga, Tugaloo, Seneca (Essenekaw), Tamassee, Cheohee, Issaqueena, Jocassee, Tokena, etc., and

Whereas: Oconee County was named for the Cherokee village of Oconee (Aconnee), and

Whereas: the Oconee County seal and flag were designed in collaboration with Native Americans, and

Whereas: Native American citizens of Oconee County have made, and continue to make, many positive contributions to the history and culture of Oconee County,

Therefore: we respectfully request that an Oconee County Commission on Native American Affairs be created to represent the Native American population in Oconee County, SC.



OCONEE COUNTY COURTHOUSE

Spirit of Oconee



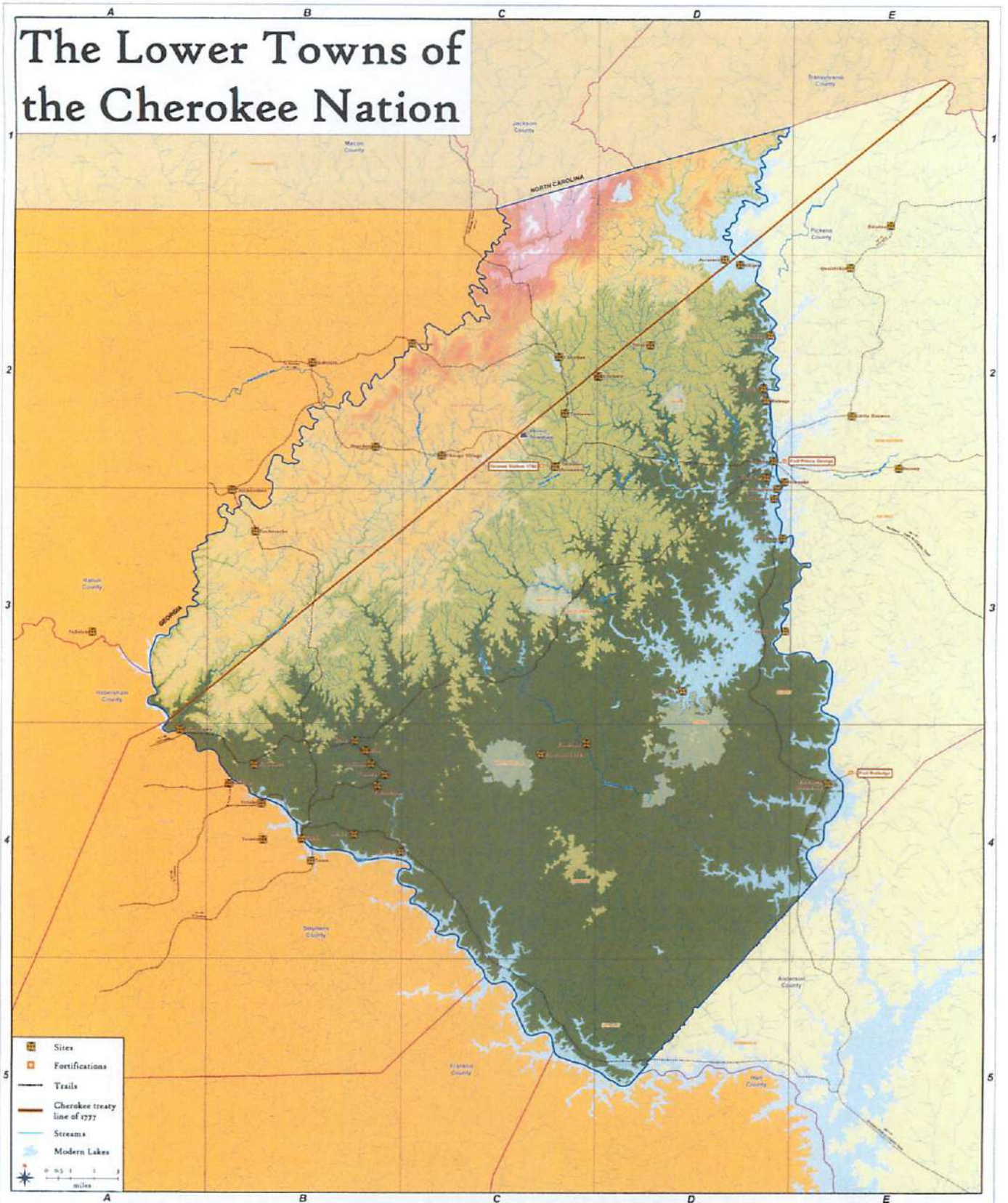
The Cherokee people of
Oconee County dedicate this
monument to the heritage of
all Oconee County citizens,
past, present, and future.



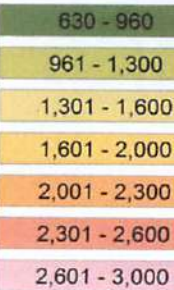
Cherokee Bear Clan of South Carolina
Oconee Arts and Historical Commission
South Carolina National Heritage Corridor

2008

The Lower Towns of the Cherokee Nation



Elevation (in feet)



Site Locations		Significant Stream Locations					
Brass Town	A-4	Estatoe	E-1	Tamassee	C-2	Brasstown Creek	A-3, B-3
Cane Creek	D-3	Eustaste	D-2	Tasse	B-4	Cane Creek	C-3, D-3
Chattooga	C-2	Istanake	D-2	Tecooee	B-4	Chauga River	C-2, C-3
Chauga	B-4	Jocasssee	D-2	Tetohe	B-4	Coneross Creek	C-3, D-4
Chauga Village	C-2	Keowee	D-2	Tockoreche	B-3	Cornhouse Creek	D-2
Cheowee	C-2	Kulsage	D-2	Tockoreche	B-2	Little River	D-2
Chicherohee	B-3	Little Keowee	E-2	Tocorichee	B-4	Mile Creek	E-2
Coneross	C-4	Noyouwee	B-4	Toxaway	B-4	Oconee Creek	C-2, D-2
Coneross Lodge	C-4	Oconee	C-2	Toxaway	D-2	Tugaloo River	A-4, D-5
Echay	B-4	Ostatoj	B-4	Toxsaah	B-4	Village Creek	C-2
Echy	B-4	Oustanare	D-3	Tugalo	B-4	Warwoman Creek	A-2, B-2
Ecochee	B-2	Qualatchie	E-2	Tunnissey	D-3		
Ellijay	D-2	Socony	E-2	Ustaly	D-2		
Esseneca	E-4	Sugar Town	D-2	Woostana	D-2		
Fctamuir	D-2	Sisantea	D-3				

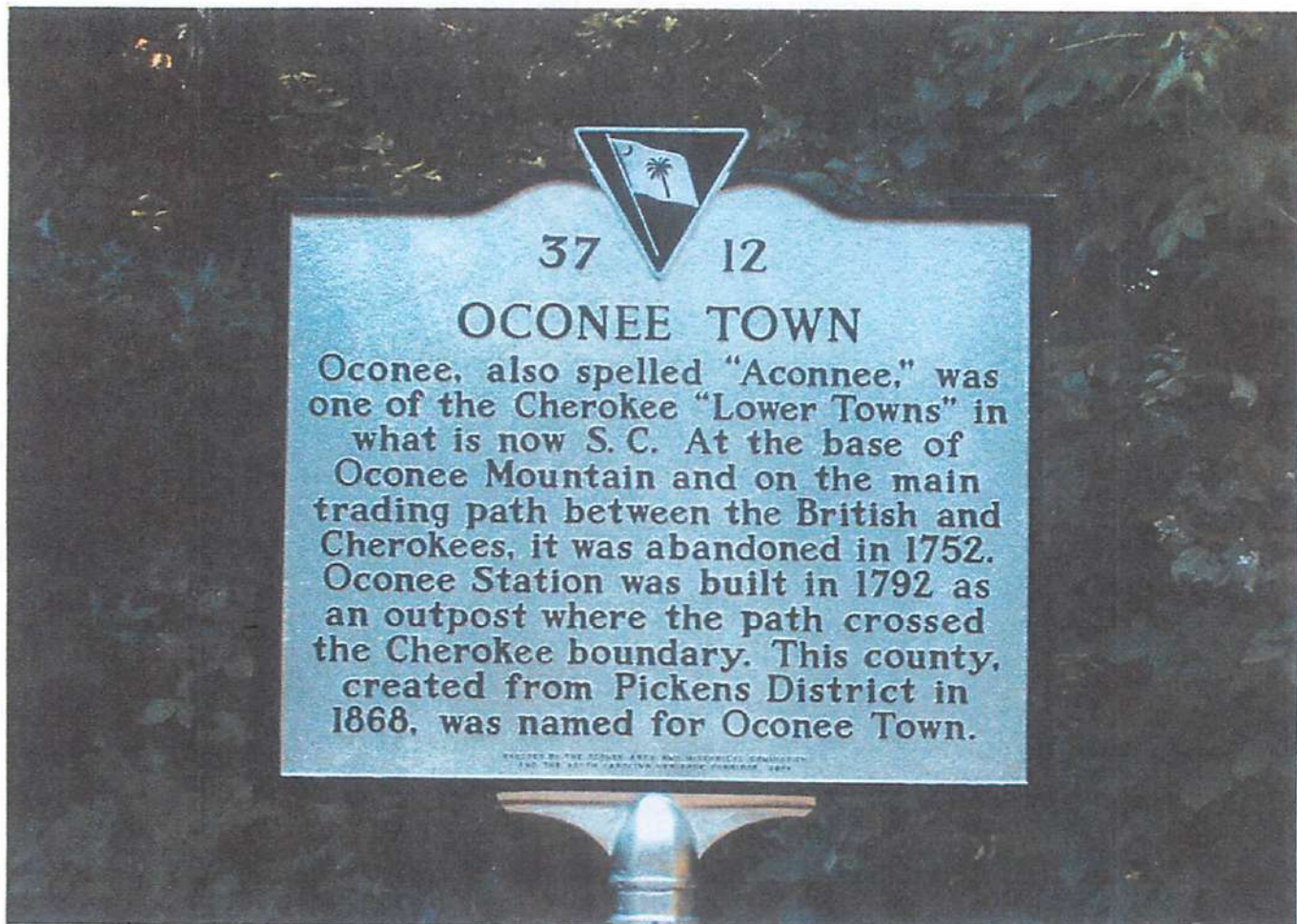


Prepared by:
Oconee County GIS Department
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Typical Cherokee village in Oconee County
in mid-1700s.



Historic marker at Oconee Station.

Keowee Courier April 2, 2008



LOOKING FOR ARTIFACTS - These are some of the volunteers who participated in an archeological dig at the site of the Oconee Town Cherokee Indian village last week. (See story)

Cherokee Artifacts Are Uncovered During 'Dig' At Oconee Town Site

An archeological dig at a portion of the "Oconee Town" Cherokee Indian village last week yielded a number of pottery fragments and tools.

The dig, which took place Monday through Friday, was overseen by Dr. Chris Clement, an archeologist at the S.C. Institute of Archeology and Anthropology on the University of South Carolina campus.

Some of the pottery fragments were estimated to be up to 4,000 years old.

The dig took place on about one acre of privately owned land near the Oconee Station State Historic Site, lo-

cated on Oconee Creek.

Dr. Clement said this site does not appear to be the main part of Oconee Town, but rather an outlying community.

The site was dug up using shovels, with the assistance of a large number of enthusiastic volunteers. There were as many as 16 people working at the site at one time. The site was covered back up when work concluded on Friday.

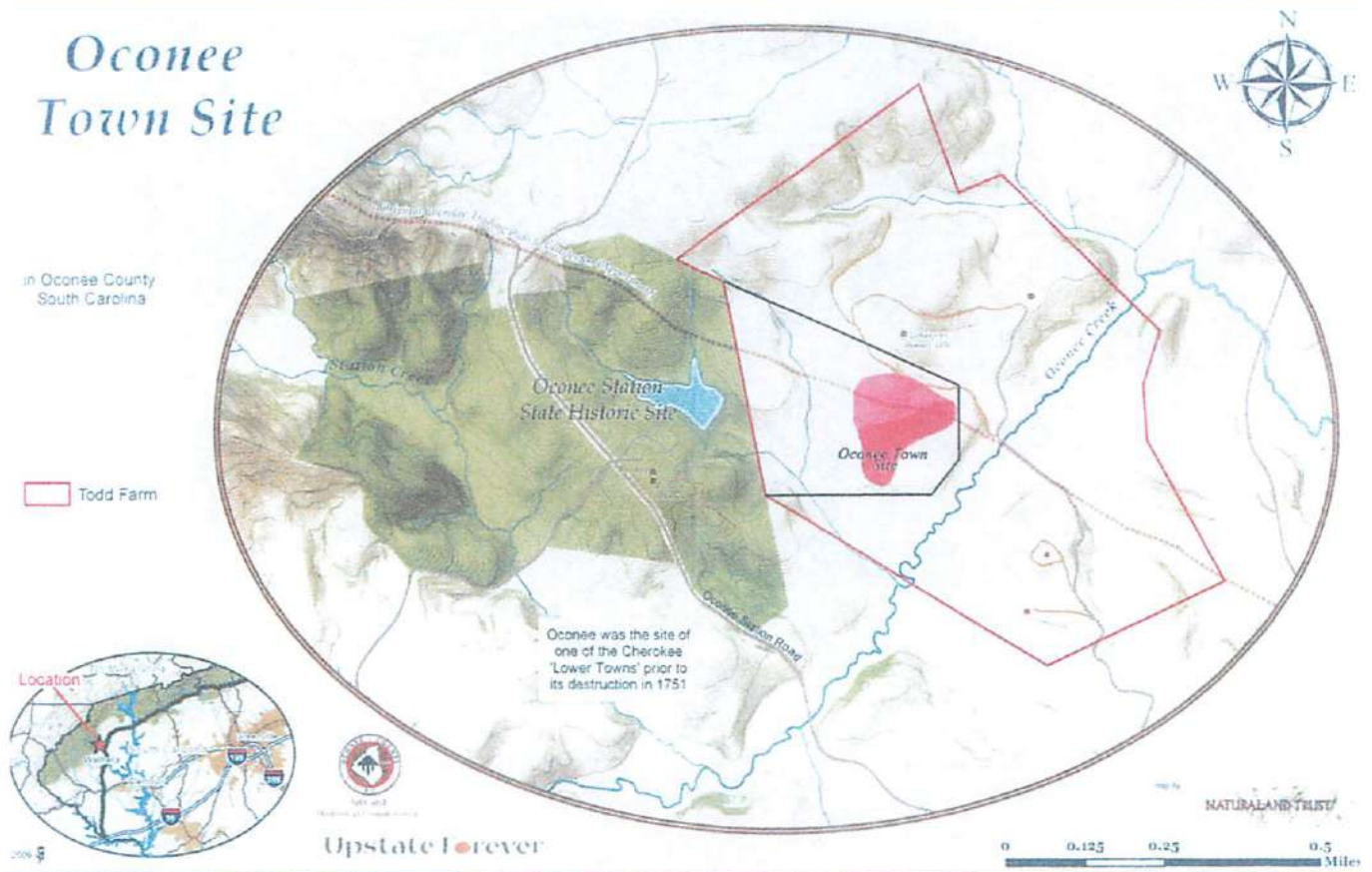
There are tentative plans to resume digging in the fall, perhaps at the main part of Oconee Town.

Last week's dig was funded by the Oconee County Arts and

Historical Commission. The County Council authorized the commission to spend \$2,000 for that purpose.

The artifacts that are found will go to the Oconee Heritage Center in Waltham, for public exhibit.

Local officials are also hopeful that the Heritage Center can acquire a large number of Cherokee artifacts that were found during a dig at the former Keowee Town village in the late 1960s, prior to that area being inundated by Lake Keowee. Those artifacts have been kept in storage in Columbia ever since they were found.



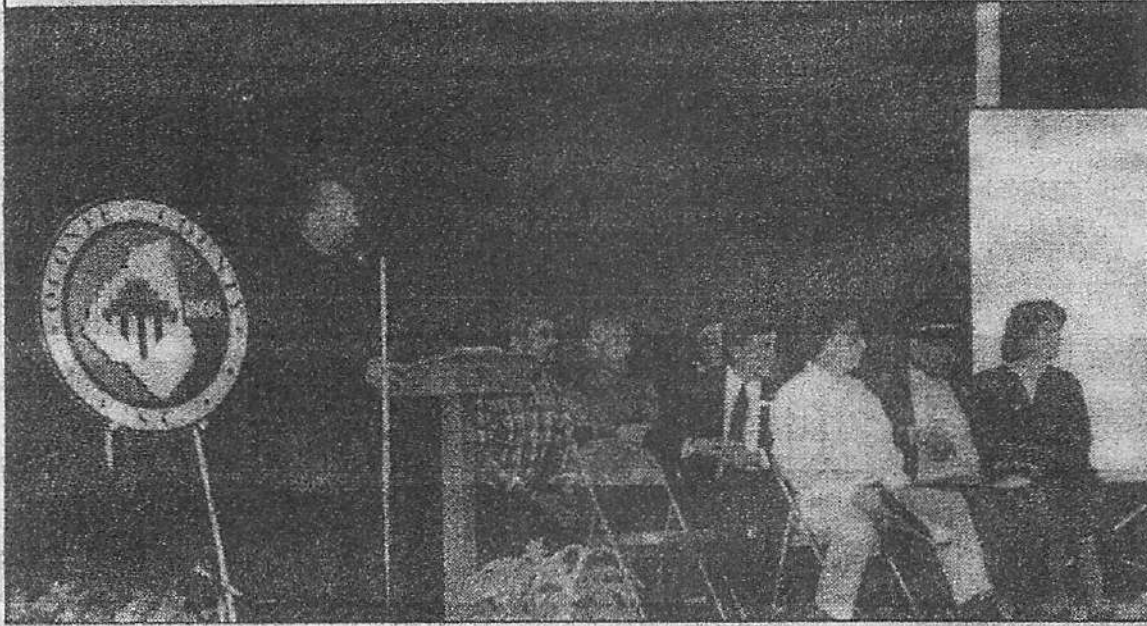
Negotiations were held, funds were raised, the Oconee Town Site was purchased and a celebration was held.

Third grade students from Wallhalla Elementary school were invited to the ceremony because their class raised more money than any other school in Oconee School District.

The Oconee Town Site was officially turned over to South Carolina Parks and Recreation.



County seal unveiled



County Councilman Bill Rinehart (standing-left) is shown just after unveiling the new Oconee County seal. Also pictured are, seated left to right, County Councilmen Steve Moore and Frank Ables, Supervisor Harry Hamilton (partially obscured from view), Representative Bill Whitmire, Luther Lyle who designed the seal, Cherokee Elder Jerry Wolfe, and Oconee School Superintendent Dr. Valerie Truesdale. (See story below)

Oconee County's new official seal unveiled; features Cherokee symbol

Oconee County now has an official seal to be used on county documents and displayed in County Council chambers.

The seal, which was unveiled at a ceremony Friday afternoon at James M. Brown Elementary School, features the outline of a map of Oconee County. In the center of the map is a Cherokee symbol for Oconee, along with the words "Land beside the water," which is what "Oconee" means. The top part of the symbol is a pyramid, representing the mountains and the seven bands of the Cherokee Nation. The bottom part is five bars, representing Oconee County's five major rivers. Also included is "1868," which is the year Oconee County came into existence. A red circle around the seal is symbolic of the Cherokee's "Circle of Life."

The honored guest at the cer-

emony was Jerry Wolfe, a Cherokee elder from Cherokee, N.C. He was presented a framed picture of Oconee Station by County Councilman Steve Moore, on behalf of the council.

Supervisor Harry Hamilton presented a plaque to Luther Lyle, a member of the Oconee County Arts and Historical Commission, in appreciation of his efforts in visiting

the Cherokees to obtain information about the symbol for "Oconee," and designing the seal. Richard Carter also assisted in this effort.

Hamilton and Councilman Bill Rinehart explained the purpose of seals, and the meaning of the new Oconee County seal, to James M. Brown students who attended the ceremony.

Friday, September 30, 2005

Cherokee dancers, students salute new Oconee County flag

BY DAVID WILLIAMS
Oconee-Pickens Bureau

WALHALLA — James M. Brown Elementary School ran the new Oconee County flag up the flagpole Thursday — and it got a salute from the Raven Rock Dancers of Cherokee, N.C.

The traditional Cherokee dancers were part of a presentation of the first public flying of the new flag that features the new county seal created in 2003.

The flag's design has the

Cherokee symbols for land, water and the red circle of life. Oconee means land beside the waters, according to some experts. The five rivers represented on the flag include the Chattooga, Chauga, Keowee, Seneca and Tugaloo.

Betty Wallace of the Walhalla Garden Club presented the flag to the school, which was represented by Joshiah Basket Quevedo and Bowdy Crowe-Key. Joshiah's grandmother is Oconee

County artist, and Cherokee, Nancy Basket. Bowdy's mother Loretta is also a Cherokee.

Joshiah is in kindergarten at the school and Bowdy is in the third grade, which will use the flag in its South Carolina history lessons.

There are five third-grade classes with 110 students at James M. Brown.

The Oconee County Arts and

Please see CHEROKEE, page 4A



KEN RUINARD Anderson Independent-Mail

Joshiah Quebebo, 5, left, of Westminster and Bowdy Crowe-Key, 9, of Walhalla hold up a new Oconee County flag.

FROM PAGE 1A

Historical Commission will present additional county flags to all the county's schools. Individuals and other groups are presenting the flags to schools to be used in the classrooms, in honor or in memory of loved ones.

"Our motto is 'Learning to Explore and Exploring to Learn,'" Principal Mary Raley said. "It's important for students to know where they are from. This fits in beautifully with the origins of our county."

Joshiah's mother, Joleen Quevedo, said she's impressed with James M. Brown's attention to culture.

"I love James M. Brown," Ms. Quevedo said. "There is a lot of culture here."

The Raven Rock dancers demonstrated Cherokee social

dances for the third-graders, including the Beaver, Bear, Corn, Quail and Friendship dances.

Bernice Bottchenbaugh, a member of the dance group, said the Cherokee Fall Festival will begin Tuesday and run through Oct. 8 in Cherokee, N.C., and it will feature traditional Cherokee dances, food, clothing and other aspects of the Cherokee's culture.

Asked how long she had been dancing, Ms. Bottchenbaugh said, "All our lives. This is something we do as children."

In October 2003, the 12-member Cherokee council unanimously passed a resolution approving the design for the flag and seal for Oconee County.

David Williams can be reached at (864) 882-0522 or by e-mail at williamsde@IndependentMail.com



Two abandoned buildings on Short Street in
Walhalla were purchased and renovated to create
the Museum of the Cherokee in South Carolina.

It is the only Native American museum in
South Carolina.

We have expanded several times.

Keowee Courier Nov. 14, 2018



CUTTING THE RIBBON - This is the ribbon-cutting ceremony that officially opened the new annex to the Museum of the Cherokee in South Carolina. Curator and Director Luther Lyle (third from right) is shown with some Cherokee supporters of the museum, left to right, Katrina Sneed, daughter of the chief of the Eastern Band of Cherokee Indians; Tony Wolfe, son of the late Jerry Wolfe, who held the title of Beloved Man of the Eastern Band of Cherokee Indians; Sean Grady; (Luther Lyle); Gerri Wolfe Grady, daughter of Jerry Wolfe; and Lindsey Tisdale, who is not a member of the Eastern Band but is a member of the Cherokee Nation. (See story)

Opening of Museum Annex with supporters from members of the Eastern Band of Cherokee Indians and the Cherokee Nation.



Stone wall on South Church Street - BEFORE

"Walls of Walhalla" Project.



Stone wall on South Church Street - AFTER



We would like to sponsor Native American Festivals to showcase our cultural heritage to local residents, tourists, and guests.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
PROCLAMATION P2020-05**

**A PROCLAMATION RECOGNIZING THE 100TH ANNIVERSARY OF THE 19TH
AMENDMENT AND THE EFFORTS OF THE WOMEN'S SUFFRAGE MOVEMENT TO
GUARANTEE THE RIGHT FOR ALL WOMEN TO VOTE**

WHEREAS, August 26th, 2020, marks the 100th anniversary of the ratification of the 19th Amendment to the Constitution of the United States of America; and,

WHEREAS, the 19th Amendment states, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex," guaranteeing and protecting the constitutional right of women to vote; and,

WHEREAS, the women's suffrage movement, from the first women's rights convention to enfranchisement, lasted seventy-two (72) years during which time women from all walks of life, political views, and demographic backgrounds demanded the right to voice their opinions at the polls; and,

WHEREAS, in a letter, published in the May 12, 1920, edition of the Keowee Courier, Mrs. W.L. Dunovant, Press Chair of the South Carolina Equal Suffrage League, states, "I see by the State of Tuesday that your county convention went on record favoring woman suffrage in the primaries. I believe yours to be the only one doing so [...] We will see to it that when the suffrage history of South Carolina is written, this fact shall be recorded. Like the little streams of your mountains, let us hope that this beginning will become a mighty torrent, sweeping all opposition before it. We so much hope that our own State would have enfranchised us, but since that is one of the things that cannot now be, it is like a balm to a wound to read what Oconee has done"; and,

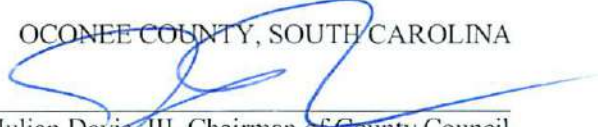
WHEREAS, the Voting Rights Act, passed in 1965 by Congress aimed to further overcome legal barriers at the state and local levels, granting women of all races the ability to cast their vote; and,

WHEREAS, the State of South Carolina showed its support for women's suffrage by officially ratifying the 19th Amendment on July 1, 1969.

NOW, THEREFORE, we, the Oconee County Council do hereby recognize the historical and political significance of the ratification of the 19th Amendment and the hard work of generations of women to gain enfranchisement in Oconee County and the United States.

APPROVED AND ADOPTED this 18th day of August, 2020.

OCONEE COUNTY, SOUTH CAROLINA


Julian Davis, III, Chairman of County Council

ATTEST:

Katie D. Smith, Clerk to County Council

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
PROCLAMATION P2020-06**

**PROCLAIMING THE WEEK OF AUGUST 9TH THROUGH AUGUST 15TH AS ROSA CLARK
MEDICAL CENTER AWARENESS WEEK IN OCONEE COUNTY IN COORDINATION WITH
NATIONAL HEALTH CENTER AWARENESS WEEK.**

WHEREAS, National Health Center Week is an annual celebration with the goal of raising awareness about the mission and accomplishments of America's Health Centers; and,

WHEREAS, Community Health Centers serve as a beacon of strength, service, and care in their communities by offering support in moments of pain and loss; and,

WHEREAS, all individuals should have access to affordable, quality health care regardless of their ability to pay; however, affordability and accessibility of health services remain critical issues for the underinsured and uninsured in the United States; and,

WHEREAS, Rosa Clark Medical Center has provided quality health care in Oconee County since 1982 and became a Federally Qualified Health Center in 2017; and,

WHEREAS, Rosa Clark Medical Center provides a range of medical, dental, pharmaceutical, and behavioral health services to economically disadvantaged individuals who are predominately underinsured or uninsured; and,

WHEREAS, Rosa Clark Medical Center is dedicated to educating the public, press, state agencies, local industries and organizations about health centers and the important services they provide to America's underinsured and uninsured; and,

WHEREAS, Rosa Clark Medical Center continues its mission to enhance lives and preserve health by enabling access to a comprehensive, fully integrated network of the highest quality and most affordable care, delivered with kindness, integrity, and respect, regardless of the patient's ability to pay.

NOW, THEREFORE, we, the Oconee County Council do hereby recognize and proclaim August 9th through August 15th as Rosa Clark Medical Center Awareness Week in Oconee County in coordination with National Health Center Week.

APPROVED AND ADOPTED this 18th day of August, 2020.

OCONEE COUNTY, SOUTH CAROLINA


Julian Davis, III, Chairman of County Council

ATTEST:

Katie D. Smith, Clerk to County Council

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2020-09**

**AN ORDINANCE AMENDING THE “SIGN CONTROL
ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA.”**

WHEREAS, Oconee County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the “County Council”), has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the “Code of Ordinances”); and,

WHEREAS, the County, acting by and through the County Council, is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County; and,

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, the Sign Control Ordinance of Oconee County, South Carolina in order to, among other things, (1) ensure public safety by reducing distracted driving and (2) preserve the natural and scenic beauty of the County; and,

WHEREAS, County Council has therefore determined to modify the Sign Control Ordinance of Oconee County, South Carolina, and to affirm and preserve all other provisions of the Code of Ordinances not specifically or by implication amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Article 8 of Chapter 32 of the Code of Ordinances, entitled the Sign Control Ordinance of Oconee County, South Carolina, is hereby revised, rewritten, and amended to read as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

2. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

3. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. Nothing contained herein, however, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning acts, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Article 8 of Chapter 32, not amended hereby, directly or by implication, shall remain in full force and effect.

6. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by County Council, and will apply to all land use and zoning processes initiated after first (1st) reading hereof. All processes actually initiated by submitting a properly and legally completed petition or application to the County, at a minimum, prior to first (1st) reading of this ordinance and the establishment of the pending ordinance doctrine thereby, shall be completed under the zoning and performance standard rules and regulations of Chapters 32 of the Code of Ordinances, as in effect prior to final adoption of this ordinance.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2020.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Julian Davis, III
Chairman of County Council

ATTEST:

By: _____
Katie Smith
Clerk to County Council

First Reading: June 16, 2020
Second Reading: July 21, 2020
Third Reading: August 18, 2020
Public Hearing: August 18, 2020

2020-09 Exhibit A

Sec. 32-515. Title.

This article shall be known as the "Sign Control Ordinance of Oconee County, South Carolina."

Sec. 32-516. Purpose.

It is the purpose of this article to establish regulations for the safe and orderly placement of all signage to which this article applies in the unincorporated areas of the county; also, this article shall establish penalties necessary to discourage violations of these standards and to establish appropriate fees to offset costs associated with implementation.

Sec. 32-517. Authority.

This article is adopted pursuant to the provisions of S.C. Code § 4-9-25 and § 4-9-30. Personnel employed by the county as planning and zoning officials, code enforcement officers, building code officials, and personnel employed by the sheriff of the county are vested with the authority to enforce and administer signage control within the county.

Sec. 32-518. Jurisdiction.

The regulations set forth in this article shall be applicable within the unincorporated areas of the county. All billboards and signs proposed to be constructed in the unincorporated areas of the county shall be permitted under, and/or governed by, these regulations. Billboards and signs existing at the time of the adoption of these standards shall be considered exempt, with the exception of any structure considered abandoned, disassembled, or otherwise removed from a site.

Sec. 32-519. Terms and definitions.

Except where specifically defined herein, all words used in this article shall carry their customary meanings. Where applicable, words used in the present tense include the future tense, and the singular includes the plural.

Abandoned billboard or sign means a billboard or sign which is not being maintained as required by this article, which has an obsolete advertising message or no advertising message, or one for which a permit has not been obtained or is not current. Public service signage shall not be considered abandoned under this definition.

Billboard means any advertising structure that directs persons to a different location from where the billboard is located or which is otherwise "off-premises" but makes no reference to a location.

Building mounted sign or billboard means any sign or billboard attached to, or artistically rendered upon (such as a painting), a building or canopy/awning attached to a building or structure.

Excepted billboard means a billboard falling within one of the following categories that are excepted from the county's general billboard prohibition: (1) a billboard which is visible from Interstate 85 and which is erected with the purpose of its message being read from the traveled way of Interstate 85, as determined by the Planning Director; (2) a billboard which is less than thirty-three (33) square feet in size and less than ten (10) linear feet in height; (3) a billboard erected by or for a governmental entity for a public purpose; and (4) an Existing billboard.

Existing billboard means a billboard lawfully erected within the boundaries of the county prior to the adoption of this article, as amended by Oconee County Ordinance 2020-___.

Group development means any aggregate non-residential, mixed-use, and/or multi-family development project, commonly referred to as (by way of example and not limitation) a strip mall,

mall, town-center development, apartment or condominium complex, or town-home community, which is constructed on one or multiple lots of land.

Sign means any sign structure or combination of sign structure and message in the form of an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, advertising structure, advertisement, logo, symbol or other form which is designated, intended, or used to advertise or inform in relation to the premises on which it is located, any part of the message or informative contents of which is visible from the main traveled way. The term does not include official traffic control signs, official markers, or specific information panels erected, caused to be erected, or approved by the state department of transportation; signs erected by or for a governmental entity for a public purpose are also excluded from operation of this article.

Sign area means the entire face of a sign or billboard, including the advertising surface and any framing, trim, or molding, but not including the supporting structure. For non-rectangular signs or billboards, the sign area shall be equal to that of the smallest rectangle that encompasses all features of that sign or billboard. For stacked signs or billboards, the sign area shall be that of the small rectangle that encompasses all signs or billboards in the stack.

Sign permit means any permit, other than a building permit, obtained by an applicant from the county for the purpose of the construction or maintenance of a sign or billboard, or a permit obtained for any sign or billboard to be placed on public property, including a county-owned or operated right-of-way.

Stacked sign or billboard means any structure so configured to present two or more sign areas at different elevations and/or presenting two or more sign areas facing in the same direction.

Sec. 32-520. Billboards.

1. Only Excepted billboards are authorized within the unincorporated area of the county.
2. No billboard shall be erected within one thousand and three hundred (1,300) feet of another billboard located on the same road. This distance shall be measured as the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the location of an existing billboard to the proposed site.
3. Maximum sign area for any billboard is six hundred and seventy-two (672) square feet.
4. No billboard shall be located along any federal, state, or county designated scenic highway or roadway.
5. Stacked billboards are permitted subject to the sign area calculation in section 32-519.
6. Billboards less than thirty-three (33) square in size feet are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of billboards is less than thirty-three (33) square feet in size exceeds thirty-three (33) square feet on a given lot. This exemption applies to internal directional or wayfinding signage.
7. Billboards exempt from permitting remain governed by this article, where appropriate.

Sec. 32-521. General provisions applicable to signs – (monument, pole, and similar signs):

1. The following provisions apply to all signs unless a special provision contained in this article clearly indicates otherwise:
2. Number. One sign is authorized for each one hundred (100) linear feet of road frontage.
3. Size. The maximum allowable sign area per sign is seventy-five (75) square feet.
4. Height. The maximum allowable height of a sign is twenty (20) feet.
5. Setbacks. All signs shall be setback five (5) feet from the front property line and (10) ten feet from the side and rear property lines. No portion of a sign may extend into a right-of-way, over a

property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.

6. Building mounted signs. Building mounted signs are not subject to the numerical limits above; however, the maximum size of any one building mounted sign is one hundred and fifty (150) square feet, and the total sign area per building may not exceed two hundred (200) square feet. Additionally, roof mounted signs must be approved as a special exception by the Oconee County Board of Zoning Appeals.
7. Illumination.
 - a. Signs shall be top-lighted, with the light source facing downward, or internally illuminated.
 - b. No sign shall be erected, or any existing sign operated, where illumination is of such intensity or brilliance as to cause glare or impair the vision of any driver of any motor vehicle or which otherwise interferes with any driver's operation of a motor vehicle.
 - c. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at any portion of a traveled right-of-way.
 - d. No sign shall be erected, or any existing sign operated, where illumination is not shielded to prevent light from being directed at a residential property.
 - e. No sign's light source shall be located so that it may be seen from residential property.
8. Automatic changeable message devices. Not permitted.
9. Moving / rotating signage. Not permitted.
10. Window signs. Window signs shall be static and shall not flash, blink, or scroll. There is no limit on the number or type of windows signs. Window signs do not count towards the total number of square footage of building mounted signage. Window signs shall be legible only from the premises on which they are located.
11. Signs and billboards on public property. Any sign or billboard installed or placed on public property, including county-owned or operated rights-of-way, except in conformance with the requirements of this article and expressly permitted by the appropriate governing authority, shall be deemed illegal and shall be subject to removal. In addition to other remedies hereunder, the county shall have the right to recover the cost of removal and disposal of such sign or billboard from the owner or the person who placed it.
12. Sculptural and nonplanar signs. The surface area of a spherical, free form, sculptural, or other nonplanar sign may be equal to the applicable amount of square footage permitted.
13. Corner lots and double frontage properties. Each frontage is allowed the specified amount of ground signage indicated in this section 32-521.
14. Signs exempt from permitting:
 - a. Signs less than thirty-three (33) square feet in size are exempt from permitting unless illuminated or exceeding seven (7) feet in height and/or until the aggregate size of signage under thirty-three (33) square feet on a lot totals the permitted size of a single sign, as established herein. This exemption applies to internal directional or wayfinding signage.
 - b. Replacing any sign face for content change, repair, or other replacement, provided the square footage of the sign face does not change.
 - c. Signs exempt from permitting remain governed by this article, where appropriate.

Sec. 32-522. Special provisions applicable to residential subdivision entrance signage.

1. Each residential subdivision entrance is allowed two (2) subdivision entrance signs. Such signs shall be located outside of rights-of-way and shall not encroach into any corner sight visibility triangle.
2. Subdivision entrance signs may be internally or externally illuminated.
3. Subdivision entrance signs shall not exceed seventy-five (75) square feet; shall be designed as a monument or ground sign; and shall not exceed twenty (20) feet in height. Such signs may, however, be incorporated into a wall, fence, or other structure that also shall not exceed twenty (20) feet in height. Such structures shall be located at least fifteen (15) feet from rights-of-way and shall be subject to all applicable building codes and permitting.

Sec. 32-523. Special provisions applicable group development signage.

1. Group development signage shall not be considered a billboard if located within the project area as determined by the Planning Director.
2. Individual businesses and developments within Group developments will not be permitted to construct their own ground signage along public right-of-ways.
3. Group development ground signs (monument, pole, and similar Signs):

Maximum number of ground signs in relation to road frontage	Maximum number of individual signs per ground sign	Total sign area, combined, per ground sign	Maximum height
Up to two hundred (200) linear feet of road frontage - two (2) ground Signs permitted	Five (5)	One hundred (100) square feet	Twenty (20) feet
More than two hundred (200) linear feet – three (3) ground Signs permitted	Ten (10)	Two hundred (200) square feet	Twenty (20) feet

4. Setbacks. All signs shall be setback five (5) feet from the front property line and ten (10) feet from the side and rear property lines. No portion of the sign may extend into the right-of-way, over a property line, or over a drive or road. Setbacks are measured from the right-of-way if the right-of-way projects over the property line.
5. Group development building mounted signs: canopy, marquee, wall, and similar signs.
 - a. Number of signs limited to two (2) per business.
 - b. Maximum square footage is limited to one hundred and fifty (150) square feet per sign.
 - c. Lighting, if any, shall be internal or downward facing.

Sec. 32-524. Abandoned billboards and signs.

An abandoned billboard or sign, as defined by this article, shall be removed by the owner thereof or the owner of the property upon which the billboard or sign is located within forty-five (45) days of notification by the county that the billboard or sign is deemed abandoned. The billboard or sign owner and/or the property owner may appeal the county's designation of the billboard or sign as abandoned to the magistrate's court of the county during the forty-five (45) day period to remove the billboard or sign. If the property owner files a timely appeal, the time period for removing the billboard or sign shall be tolled until the magistrate's court renders a decision. In the event that an abandoned billboard or sign is removed, the billboard or sign owner and/or the property owner shall have the right to replace it in the same location with a new billboard or sign of the same size and height for a period of six (6) months from the date of removal.

Sec. 32-525. Billboard and sign submittal process.

1. Signs and billboards permitted under these regulations shall impose no obvious hazards to any drivers, pedestrians, bicyclists, or other users of any public road in the unincorporated areas of the county. As such, the following materials shall be submitted to the planning director or his/her designee at the time of application:
 - a. A completed application form;
 - b. A detailed site plan prepared and stamped by a surveyor licensed by the state, noting the proposed location of the structure, and verification that the new sign or billboard meets all location requirements set forth in this article;
 - c. A set of construction plans, to include all proposed lighting features. All plans submitted shall be stamped by appropriate professionals licensed by the state; and
 - d. Payment of required fees.

Sec. 32-526. Maintenance requirements.

All signage subject to this article must be structurally safe and maintained in a good state of repair which includes, but is not limited to, the following:

1. The sign area must be maintained free of peeling, chipping, rusting, wearing and fading so as to be fully legible at all times.
2. All parts of the sign, including the cutouts, extensions, border, trim, and sign structure must be maintained in a safe manner, free from rusting, rotting, breaking and other deterioration.
3. The sign face must not have any vegetation growing upon it or touching or clinging to it.

Sec. 32-527. Fees.

Fees shall be established for the cost of a sign permit by county council from time to time.

Sec. 32-528. Permits.

Upon satisfactory completion of all requirements set forth in this article, the owner/agent shall be issued a land use permit by the planning director or his/her designee for construction of the billboard or sign. The land use permit shall be valid for six (6) months from the date of issue; the owner/agent may be granted a one-time six (6) month extension, provided a written request is submitted to the planning director no later than seven (7) working days prior to the original expiration date. Request for extension shall include documentation of efforts to obtain other necessary permits and permissions needed to begin construction, specifically noting the reason for the extension request. Extensions shall be granted only to those projects that were delayed through no fault of the owner/agent of the billboard or sign. The land use permit issued by the planning director shall in no way be construed to be a building permit needed to

begin construction of a sign. No building permit, or other county-issued permits, certification or approval, shall be issued for a billboard or sign prior to the issuance of the land use permit. Replacing any billboard or sign face with no change in sign area, structure, or use of electricity does not require a permit.

Sec. 32-529. Penalties.

Any person or entity violating the regulations set forth in this article is guilty of a misdemeanor and may be fined up to five hundred and 00/100 dollars (\$500.00) or imprisoned for thirty (30) days or both.

Secs. 32-530 - 32-600. Reserved.

2020-09: Potential Amendments for 8.18.2020

1. Add the following to Sec. 32-519. Terms and definitions:
 - a. *Temporary Billboard*: A billboard placed in a location, or intended for a use, that is clearly not permanent in nature. A billboard with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary billboard.
 - b. *Temporary Sign*: A sign placed in a location, or intended for a use, that is clearly not permanent in nature. A sign with an intended use that is related to a specific event, of a definite time and limited duration, shall be deemed a Temporary sign.
2. Add 32-520(8) “This ordinance does not apply to Temporary billboards” and 32-521(15) “This ordinance does not apply to Temporary signs.”
3. Delete 32-520(7) “Billboards exempt from permitting remain governed by this article, where appropriate, and delete 32-521(14)(c) “Signs exempt from permitting remain governed by this article, where appropriate.”
4. Add new 32-520(7) “Replacing any billboard for content change, repair, or other replacement, provided the square footage of the billboard does not change, is exempt from permitting under this article.”

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2020-10**

AN ORDINANCE AMENDING THE ENFORCEMENT AND PENALTY PROVISIONS OF THE "LITTER CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA."

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30, Oconee County ("County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the "County Council"), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein; and,

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the "Code of Ordinances"), as amended; and,

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to rewrite, revise, and amend Section 12-178(2) of the Code of Ordinances by establishing revising the penalty and fine provisions contained in the "Litter Control Ordinance of Oconee County, South Carolina"; and,

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Section 12-178(2) of the Code of Ordinances is hereby amended to read as follows:

(2) *Penalties and fines.*

(a) Any person violating the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense plus court costs (or up to 30 days in jail, or both).

(b) In addition to the fine and/or term of imprisonment, the court must also impose, at a minimum, eight (8) hours of litter-gathering labor or other form of community service. If a person violates the provisions of this article in an amount exceeding fifteen (15) pounds, the court must impose, at a minimum, sixteen (16) hours of litter-gathering labor or other form of community service in addition to the fine or term of imprisonment. The court may waive the community service portion of

this penalty only in cases of incapacity or infirmity; under such circumstances, each hour of community service shall be replaced by an additional fifteen dollar (\$15.00) fine.

(c) Further, the court may order any person violating the provisions of this article to pay restitution to the County or to the victims for the costs of removing or abating such litter.

(d) One hundred percent (100%) of the fines collected by the County pursuant to this article shall be remitted to the Oconee County Sheriff's Office to help defray the cost of enforcing this article.

(e) The magistrate's court shall have jurisdiction to enforce this article.

2. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

3. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

4. All other terms, provisions, and parts of the Code of Ordinances, not amended hereby, directly or by implication, shall remain in full force and effect.

5. This Ordinance shall take effect and be in full force from and after third reading and enactment by County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2020.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Julian Davis, III
Chairman of County Council

ATTEST:

By: _____
Katie Smith
Clerk to County Council

First Reading: June 16, 2020
Second Reading: July 21, 2020
Third Reading: August 18, 2020
Public Hearing: August 18, 2020

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2020-14(E)**

AN EMERGENCY ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person;

WHEREAS, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States;

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act;

WHEREAS, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

WHEREAS, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that COVID-19 poses an actual or imminent public health emergency for the State;

WHEREAS, the Governor of the State has declared a continued State of Emergency by way of subsequent Executive Orders;

WHEREAS, the State continues to experience a significant number of identified new COVID-19 cases daily;

WHEREAS, health authorities, including the CDC, the Surgeon General of the United States, and the South Carolina Department of Health and Environmental Control have recommended the use of face coverings as a means of preventing the spread of COVID-19;

WHEREAS, S.C. Code § 4-9-130 provides that “[t]o meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances; but such ordinances shall not levy taxes, grant, renew or extend a franchise or impose or change a service rate. Every emergency ordinance shall be designated as such and shall contain a declaration that an emergency exists and describe the emergency. Every emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall

expire automatically as of the sixty-first day following the date of enactment.”;

WHEREAS, the Oconee County Council has determined that it would serve the public interest and be within the County’s police powers under Home Rule and S.C. Code § 4-9-25 to require that individuals wear face coverings in certain County-owned or operated facilities (“County Facilities,” defined below); and

WHEREAS, this Ordinance has been approved by at least two-thirds of the Councilmembers present at the meeting in which it was considered.

NOW, THEREFORE, be it ordained by the Oconee County Council as follows:

Section 1. Definitions. As used herein, the terms below shall have the following meanings:

- 1) “County Facility” means any building, structure, or real property owned, leased, rented, operated, or occupied by the County or one of its departments, offices, or agencies, and which is open to the public in general and which is being used for a public purpose. County-owned or operated facilities, the use of which is governed by other authorities, such as courthouses, or which are leased to and used by third parties, are not considered County Facilities for purposes of this Ordinance.
- 2) “Face Covering” means a uniform piece of cloth, fabric, or other material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands. Face Coverings include, but are not limited to, bandanas, medical masks, cloth masks, scarves, and gaiters, provided that they are worn such that they securely cover the person’s nose and mouth.

Section 2. Use of Face Coverings within County.

- 1) All employees, customers, vendors, guests, and other visitors are required to wear Face Coverings while inside the enclosed area of any County Facility; and
- 2) All persons positioned outside, but in close proximity to, County Facilities are required to wear Face Coverings when maintaining a distance of less than six (6) feet between other persons.

Section 3. Exemptions. Face Coverings shall not be required:

- 1) For those who cannot wear a Face Covering due to a medical or behavioral condition;
- 2) For those whose religious beliefs prevent them from wearing a Face Covering;
- 3) For children eleven years of age and under, provided that adults accompanying children age two to eleven shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of a County Facility;
- 4) For County employees in those situations where they are not required to wear a Face Covering pursuant to written County policy;
- 5) When complying with directions of law enforcement officers or other first responders; and
- 6) For law enforcement officers, fire fighters, EMS, or other first responders while engaged in a public safety matter where it is not practical to wear a Face Covering.

Section 4. Violations: Civil Infraction. Any person violating the provisions of this Ordinance by failing to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of not less than \$25.00 and not more than \$100.00.

Section 5. Suspension of Contrary Local Provisions. During the term of this Ordinance, any other ordinance, resolution, policy, or bylaw of the County that conflicts with the provisions hereof shall be and is hereby suspended and superseded.

Section 6. Severability. Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

Section 7. Effective Date; Expiration. The provisions hereof shall be effective upon a single hearing and two-thirds vote of the Oconee County Council, and shall expire on the sixty-first day following the date of enactment.

DONE AND ENACTED AS AN EMERGENCY ORDINANCE and approved at a meeting duly assembled by no less than an affirmative vote of two-thirds of the members of the Oconee County Council present, this 18th day of August, 2020.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Julian Davis, III
Chairman of County Council

ATTEST:

By: _____
Katie Smith
Clerk to County Council

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
RESOLUTION 2020-05**

**A RESOLUTION DIRECTING THE OCONEE COUNTY
PLANNING COMMISSION TO CONDUCT STUDIES AND
RECOMMEND AN IMPACT FEE ORDINANCE,
PURSUANT TO S.C. CODE § 6-1-950.**

WHEREAS, the South Carolina General Assembly enacted the *South Carolina Development Impact Fee Act*, S.C. Code Ann § 6-1-910, *et seq.*, (the “Act”), by which the Oconee County Council (“County Council”) is authorized to consider imposing development impact fees within some or all of the unincorporated portions of Oconee County; and

WHEREAS, the Act provides that the process for considering whether to adopt a development impact fee ordinance begins by County Council enacting a resolution that directs the Oconee County Planning Commission (the “Planning Commission”) to conduct studies and recommend a capital improvements plan and an impact fee ordinance to County Council. *See* S.C. Code § 6-1-950.

NOW, THEREFORE, be it resolved by Oconee County Council in a meeting duly assembled that:

1. The Planning Commission is directed to conduct such studies as are necessary and to recommend a capital improvements plan and an impact fee ordinance to County Council, to be developed in accordance with the requirements of the Act.
2. The Planning Commission shall prepare and adopt its recommendations in the same manner and using the same procedures as those used for developing recommendations for a comprehensive plan as provided in Article 3, Chapter 29, Title 6 of the South Carolina Code of Laws, except as may be provided otherwise in the Act.

3. The Planning Commission shall present its recommendations to County Council no later than November 24, 2020.

4. All actions, orders, and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded.

5. Should any part or portion of this resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.

6. This resolution shall take effect and be in force immediately upon enactment.

RESOLVED this ____ day of _____, 2020, in meeting duly assembled.

ATTEST:

Katie Smith
Clerk to Oconee County Council

Julian Davis, III
Chair, Oconee County Council

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
RESOLUTION 2020-06**

**A RESOLUTION AUTHORIZING THE EXECUTION AND
DELIVERY OF A DIVE TEAM AGREEMENT BETWEEN THE
OCONEE COUNTY EMERGENCY SERVICES DEPARTMENT
AND THE OCONEE COUNTY SHERIFF'S OFFICE.**

WHEREAS, current standard operating procedures require that the Oconee County Emergency Services department ("OCES") and the Oconee County Sheriff's Office ("OCSO") work in coordination in relation to underwater dive and sonar operations ("Operations"); and

WHEREAS, OCES and OCSO believe that the formal establishment of a unified dive team will allow Operations to be conducted in a more efficient and effective manner; and

WHEREAS, Oconee County / OCES and the OCSO desire to enter into a Dive Team Agreement (the "Agreement"), which shall establish the structure and operational requirements of the "Oconee County Dive Team"; and

WHEREAS, the Oconee County Council (the "Council") has reviewed the form of the Agreement, attached hereto as Exhibit A and determined that it is in the best interest of Oconee County and its residents and citizens for the County to execute and enter into the Agreement, and the Council wishes to approve the same and to authorize the County Administrator to execute and deliver the Agreement and all related agreements and documents necessary or incidental thereto.

NOW, THEREFORE, it is hereby resolved by the Oconee County Council, in meeting duly assembled, that:

Section 1. Agreement Approved. The Agreement is hereby approved, and the County Administrator is hereby authorized to execute and deliver the Agreement in substantially the same form as Exhibit A, attached hereto.

Section 2. Related Documents and Instruments; Future Acts. The County Administrator is hereby authorized to negotiate such other documents and instruments which may be necessary or incidental to the Agreement and to execute and deliver any such documents and instruments on behalf of the County. The County Administrator is also authorized to designate the "Authorized Representatives" for purposes of the Agreement on behalf of the County.

Section 3. Severability. Should any term, provision, or content of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall have no effect on the remainder of this Resolution.

Section 4. General Repeal. All orders, resolutions, and actions of the Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and superseded.

RESOLVED in meeting, duly assembled, this ____ day of _____, 2020.

ATTEST:

Clerk to Oconee County Council
Katie Smith

Julian Davis, III
Chair, Oconee County Council

**OCONEE COUNTY DIVE TEAM AGREEMENT
BETWEEN THE OCONEE COUNTY EMERGENCY SERVICES DEPARTMENT
AND THE OCONEE COUNTY SHERIFF'S OFFICE**

WHEREAS, current standard operating procedures require that the Oconee County Emergency Services department ("OCES") and the Oconee County Sheriff's Office ("OCSO") work in coordination in relation to underwater dive and sonar operations ("Operations"); and

WHEREAS, OCES and OCSO believe that the formal establishment of a unified dive team (the "Oconee County Dive Team" or "Dive Team") will allow Operations to be conducted in a more efficient and effective manner.

NOW THEREFORE, OCES and OCSO hereby establish the Oconee County Dive Team, the structure and management of which shall be as follows:

1. **Term.** This Oconee County Dive Team Agreement (the "Agreement") is effective as of _____, 2020 (the "Effective Date") and shall end _____, 2025 (the "Term"). The Term shall automatically extend for successive one (1) year periods, up to a maximum of five (5) such one year extensions. The Term shall not automatically extend, however, if either party gives at least one hundred twenty (120) days' written notice of its desire to terminate this Agreement prior to the end of the then current one-year term.
2. **Personnel.**
 - a. Dive Team personnel shall be appointed by appropriate OCES and OCSO departmental supervisors.
 - b. The Dive Team shall remain in place and be ready to respond at all times during the Term.

3. Operations.

- a. The Dive Team's primary function is to effectively carry out the Operations.
- b. Dive Team Operations generally fall into three categories:
 - i. Rescue of persons;
 - ii. Recovery of persons and things; and
 - iii. Recovery of evidence.

4. Command of Operations.

- a. All command and control activities will be performed in a manner consistent with the National Incident Management System.
- b. The Oconee County Administrator shall appoint an OCES departmental employee to serve as the Dive Team Director.
- c. The Dive Team Director, or his or her designated representative, shall implement and be primarily responsible for the planning, direction, coordination, and control of all Dive Team Operations, including the direction of OCSO personnel assisting with Dive Team Operations.
- d. The OCSO shall, however, designate an appropriate law enforcement officer when circumstances warrant, as determined by the OCSO and/or when requested by the Dive Team Director, who shall direct all Operations related to evidence recovery ("Evidence Recovery Specialist").
- e. The Dive Team shall respond upon notification by the Dive Team Director, the Sheriff of Oconee County, and/or when dispatched by the standard emergency response notification and dispatch system then in place.
- f. The Dive Team Director shall coordinate appropriate training and educational

opportunities as are necessary to further the effectiveness of the Dive Team.

- g. OCES and OCSO Dive Team members shall remain employees of, and be paid by, their respective organizations. Nevertheless, as stated above, they shall come under the operational control of the Dive Team Director for Operations related to the rescue and recovery of persons or things, and they shall come under the operational control of the Evidence Recovery Specialist for Operations related to evidence recovery.

5. Equipment.

- a. All equipment necessary for Dive Team Operations shall be owned and maintained in a serviceable manner by OCES.
- b. OCSO shall transfer to OCES all equipment it uses for Dive Team Operations as soon as reasonably possible after the Effective Date hereof. Equipment to be transferred from OCSO to OCES specifically includes all functional diving gear, a pontoon boat (registration number _____ / HIN # _____), and the excursion used to pull the boat. Equipment transferred to OCES from OCSO will not be transferred by OCES to another entity until its useful life has expired or unless OCSO consents to such transfer.
- c. OCES shall equip the pontoon boat with a new motor. Otherwise, upgrades to Dive Team equipment will be made as necessary and at OCES's discretion.

6. Record Keeping.

- a. Each party shall maintain records related to its participation in Dive Team operations in a manner consistent with its record retention policy, the South Carolina Freedom of Information Act, and any other applicable South Carolina

public records laws.

- b. Each party shall respond to Freedom of Information Act requests directed to it, and shall cooperate with the other as necessary to appropriately respond to such requests.

7. **Early Termination.** This Agreement may be terminated by either party upon one hundred twenty (120) days' written notice.

8. **Severability.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions are hereby deemed separable and shall remain in full force.

9. **Notices.** Notices given in relation to this Agreement shall be delivered to the following:

As to OCES:

As to OCSO:

10. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and when taken together will constitute one instrument.

Signatures on Following Page

IN WITNESS THEREOF, the parties set forth below have duly executed this Agreement on the dates set forth below:

Witnesses:

Oconee County, South Carolina

(Witness)

By: _____
Amanda F. Brock
Oconee County Administrator

Date: _____

Witness:

Oconee County Sheriff's Office

(Witness)

By: _____
Michael Crenshaw
Oconee County Sheriff

Date: _____

PROCUREMENT - AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: August 18, 2020

ITEM TITLE:

Title: Refurbish 973C Caterpillar Track Loader	Department(s): Solid Waste	Amount:	Estimated \$238,201.21
			Contingency: \$ 30,000.00
			\$268,201.21

FINANCIAL IMPACT:

Procurement was approved by Council in Fiscal Year 2020-2021 budget process. Finance Approval: Audate Price
Budget: \$1,196,728 Project Cost: \$268,201.21 Balance: \$928,526.79
Funding from Capital Equipment and Vehicle Capital Project Fund

BACKGROUND DESCRIPTION:

Solid Waste has a 2007 973C Caterpillar Track Loader that is used in the landfill to move material and haul debris. This piece of equipment continues to have breakdown issues; which is a result of many years / hours of wear and tear and is in need of replacement or refurbishing. Due to the cost of a new track loader vs. refurbish, the recommendation of the Vehicle Maintenance Director is to refurbish the track loader. Blanchard CAT will rebuild all of the mechanical parts on the machine; including new bearings and seals, and will include a 36 month / 5,000-hour powertrain warranty. Staff is requesting a contingency of \$30,000.00 to cover any unforeseen issues that arise during the refurbish. It is estimated that the refurbish repair of the track loader will take approximately 6 months.

SPECIAL CONSIDERATIONS OR CONCERNS:

A new piece of equipment equivalent to this track loader would cost the County approximately \$550,000.00 to \$700,000.00, depending on options and attachments. The refurbishing of this machine should extend the life of the track loader by 10-15 years.

Blanchard CAT of Columbia, SC is the Authorized dealer and repair center for Caterpillar Equipment.

ATTACHMENT(S):

1. Blanchard Estimate
2. Blanchard authorized dealer / service letter
3. Price Breakdown Sheet

STAFF RECOMMENDATION:

It is the staff's recommendation that Council:

1. Approve the refurbish of the 973C Caterpillar track loader in the estimated amount of \$238,201.21 plus \$30,000.00 contingency for a total amount of \$268,201.21 to Blanchard CAT of Columbia, SC.
2. Authorize the County Administrator to approve and sign any change orders within the contingency amount.

Submitted or Prepared By: Tronda C. Popham Approved for Submittal to Council: Amanda F. Brock
Tronda C. Popham, Procurement Director Amanda F. Brock, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.



Caterpillar Inc.

100 N.E. Adams
Peoria, IL 61629

November 6, 2019

Attn: Katie Brown
Oconee County Procurement
415 S. Pine St
Walhalla, SC

RE: Authorized Caterpillar Dealer

Dear Katie,

Blanchard Machinery Company, headquartered at 3151 Charleston Highway, West Columbia, SC, ("Dealer"), is an authorized independent dealer of Cat® branded products and parts ("Cat® products"). As an authorized Cat dealer, Dealer is authorized to sell and service Cat® products in the entire state of South Carolina (the "Service Territory"). Dealer is the only Cat Dealer with authorized business locations in the Service Territory.

In the event the Dealer ceases to be an authorized Caterpillar dealer, support for Equipment will be available from either a newly appointed dealer or another dealer in the Caterpillar dealer network.

If you have any questions concerning Caterpillar or its dealers, or require additional information, please contact me at the number below.

Sincerely,

A handwritten signature in black ink that reads "Zack Smeltzer".

Zack Smeltzer
Finance Representative
Caterpillar Inc.
Phone: 865-712-4906

6/1/2020

Ameline?



COUNTY OF OCONEE
415 S PINE ST
WALHALLA SC

Estimate

CUSTOMER NO.	QUOTE NO.	DATE	CONTACT
4668000	2059761	6/25/2020	
PHONE NO.	FAX NO.	EMAIL	
MODEL	MAKE	SERIAL NO.	
973C	AA	0LDX00398	
UNIT NO.	HOURS	WO NO.	P.O. NO.
	4875		

SEGMENT: 1A CLEAN MACHINE
NOTES:FOR CLEANING MACHINE BEFORE AND DURING DISASSEMBLY

Labor

Description	Qty	Unit Price	Discount%	Ext Price
			Total Labor:	3,325.00
Segment 1A Total:				3,325.00

SEGMENT: 1B DISASSEMBLE & ASSEMBLE MACHINE
NOTES:INCLUDES LABOR FOR REMOVAL AND INSTLATION OF MAJOR COMPONENTS. INCLUDES REMOVING AND INSTALL OF CYLINDERS

Parts

			Total Parts:	12,975.49
Labor				
Description	Qty	Unit Price	Discount%	Ext Price
			Total Labor:	15,040.00
Segment 1B Total:				28,015.49

SEGMENT: 1C RECONDITION DRIVE SYSTEM
NOTES:RECONDITION HYDRO-STATIC GEAR DRIVE, PUMP DRIVES,

PUMPS, MOTORS, HOSES AND VALVES REQUIRED FOR THE MACHINE TO MOVE IN EITHER DIRECTION. DOES NOT INCLUDE ANY HYDRAULIC COMPONENTS REQUIRED FOR LIFT OR TILT.

Parts					
				Total Parts:	53,058.14
Labor					
Description	Qty	Unit Price	Discount%	Ext Price	
				Total Labor:	19,565.00
				Segment 1C Total:	72,623.11

SEGMENT: 1D RECONDITION HYDRAULIC SYSTEM
 NOTES:FOR REMOVAL AND INSTALLATION OF HYDRAULIC COMPONENTS AND REPLACEMENT OF REMAINING HOSES DOSE NOT INCLUDE MOUNTING HARDWARE FOR CYLINDERS. WILL BE ADVISED OF REUSE CONDITION WHEN DISASSEMBLED

Parts					
				Total Parts:	8,619.14
Labor					
Description	Qty	Unit Price	Discount%	Ext Price	
				Total Labor:	7,150.00
Misc					
Description	Qty	Unit Price	Discount%	Ext Price	
				Total Misc:	350.00
				Segment 1D Total:	16,119.14

SEGMENT: 1E RECONDITION COOLING SYSTEM
 NOTES:HAS NEW PARTS REQUIRED FOR CERTIFIED POWER TRAIN, LABOR TO COMPLETELY DISASSEMBLE, CHANGE ALL SEALS AND GASKETS REASSEMBLE WITH NEW PARTS AND TEST FOR LEAKS

Parts					
				Total Parts:	12,168.67
Labor					
Description	Qty	Unit Price	Discount%	Ext Price	

Total Labor: 5,850.00

Segment 1E Total: 18,018.67

SEGMENT: 2A **SUPPLY ENGINE**
NOTES:FOR A NEW ENGINE THAT WILL MEET ALL REQUIREMENTS
WITH WARRANTY.

Parts

Qty	Item Number	Description	Unit/Disc. Price	Ext Price
1	3170789	ENGINE AR-BA	32,825.03	32,825.03
1	3170789	CORE DEPOSIT	2,875.82	0.00

Total Parts: 32,825.03

Misc

Description	Qty	Unit Price	Discount%	Ext Price
Total Misc:				500.00

Segment 2A Total: 33,325.03

SEGMENT: 2B **SWAP OTHER ENGINE COMPONENTS**
NOTES:PARTS ARE LOCATED IN THE DISASSEMBLY AND ASSEMBLY
SEGMENT. INCLUDES NEW MUFFLER, ALTERNATOR,
STARTER, ENG WIRING HARNESS, SENSORS AND SWITCHES
THAT ATTACH TO ENGINE.

Labor

Description	Qty	Unit Price	Discount%	Ext Price
Total Labor:				3,850.00

Segment 2B Total: 3,850.00

SEGMENT: 3A **RECONDITION FINAL DRIVE**
NOTES:PARTS REQUIRED FOR REBUILDING OF BOTH FINALS AND
BRAKES. DOES NOT INCLUDE EXTRA PARTS REQUIRED FOR
THE KNOWN FINAL THAT IS BROKEN

Parts

Total Parts: 7,112.24

Labor

Description	Qty	Unit Price	Discount%	Ext Price
			Total Labor:	4,250.00

Misc

Description	Qty	Unit Price	Discount%	Ext Price
			Total Misc:	300.00

Segment 3A Total: 11,662.24

SEGMENT: 5A RECONDITION HYDRAULIC CYLINDERS
 NOTES: HAS PARTS REQUIRED TO HAVE THE CYLINDERS REBUILT COMPLETELY, INCLUDES BEARINGS AND LIP SEALS AND LABOR TO CHANGE
 DOES NOT INCLUDE RODS, PISTONS, HEADS, OR BARRELS

Parts

Total Parts: 2,547.08

Labor

Description	Qty	Unit Price	Discount%	Ext Price
			Total Labor:	3,860.00

Misc

Description	Qty	Unit Price	Discount%	Ext Price
			Total Misc:	250.00

Segment 5A Total: 6,657.08

SEGMENT: 7A PAINT COMPONENT(S)
 NOTES: PAINT ALL OF THE COMPONENTS AS THEY ARE RECONDITIONED, BEFORE BEING INSTALLED

Parts

Qty	Item Number	Description	Unit/Disc. Price	Ext Price
			Total Parts:	1,185.00

Labor

Description	Qty	Unit Price	Discount%	Ext Price
			Total Labor:	3,325.00

Segment 7A Total: 4,510.00

SEGMENT: 99 TRANSPORT MACHINE

Segment 99 Total: 1,800.00

SEGMENT: 9B SUPPLY WARRANTY COVERAGE
NOTES:36/5000 POWERTRAIN WARRANTY

Segment 9B Total: 30,382.00

Total Estimate: 230,287.80

SUB TOTAL (BEFORE TAXES) 230,287.76

ESTIMATED REPAIR TIME: _____ from start date
"The signature is an authorization to proceed with the required repair work as described within the quote".

Issued PO#: _____ Authorized Name: _____ (Please Print)

Date: ____/____/____ (Signature)

CONTACT INFORMATION:

Prepared by: Jonathan Branham Phone(O): 803-926-4194 Phone(C): 803-223-3808 Email: jdbranham@blanchardmachinery.com
Fax:

*This estimate will expire 30 days from the estimate date.
Price excludes Freight Charges, Operating Supplies/EPA Fees and Overtime.
Terms: Net 10th Prox.
Sales Taxes where applicable are not included with the above prices.
Customer will be notified upon teardown and/or inspection of any additional parts or labor that may be needed to complete this repair. Parts and/or Labor not covered by this estimate will be additional and a revised estimate will be given.
This estimate may include Remanufactured or Exchange components as noted. The core charges and credits associated with these parts will be determined by using CATERPILLAR's Core Acceptance Guidelines. Some core charges may qualify for full, partial or zero credit.*

Price Breakdown Sheet
Estimate to Refurbish 973C for Solid Waste Landfill

<i>Item</i>	<i>Price</i>	<i>Taxable</i>
Blanchard CAT Estimate (Quote # 2059761)		
Labor	\$66,215.00	N
Parts	\$130,490.76	Y
Misc.	\$1,400.00	Y
Transport Machine	\$1,800.00	N
Powertrain Warranty 36 months/ 5000 hours	\$30,382.00	N
Subtotal	\$230,287.76	
Sales Tax (6%)	\$7,913.45	
Estimated Total	\$238,201.21	

PROCUREMENT - AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: August 18, 2020

ITEM TITLE:

Title: Dozer Rental for Landfill Change Order #2 - PO 53915 Department: Solid Waste Amount: \$ 89,130.00

FINANCIAL IMPACT:

Procurement was approved by Council in Fiscal Year 2020-2021 budget process.
Budget: \$89,130 **Project Cost:** \$89,130 **Balance:** \$ 0.00
Funding from General fund Solid Waste Department

Finance Approval: *Sachale Price*

BACKGROUND DESCRIPTION:

In a previous Action Item for Refurbish of a 2007 Caterpillar 973 Track Loader, staff explained the down time of this machine is estimated to be six (6) months. Solid Waste uses this piece of equipment in the landfill to move material and haul debris and cannot be without equipment while under repair.

On June 15, 2020 the 2007 Caterpillar 973 Dozer was sent to Blanchard CAT for diagnostics and repair pricing. Purchase order number 53915 was issued to Flint Equipment of Simpsonville, SC in the amount of \$18,973.00 for one (1) month rental of a 2018 John Deere 1050K Dozer to keep the landfill operating. Change Order # 1 to PO 53915 was issued on July 22, 2020 in the amount of \$14,855.00 for a second month rental; current purchase order total is \$33,828.00.

The repair / refurbish is estimated to take +/- six (6) months. Rental of the 2018 John Deere 1050K Dozer will be required during the repair. Staff is requesting Council approval for an estimated six (6) additional months' rental at \$14,855.00 per month. The total request for Change Order #2 is \$89,130.00 making the purchase order total \$122,958.00.

SPECIAL CONSIDERATIONS OR CONCERNS:

Staff Contacted Blanchard Caterpillar of Simpsonville, SC and they do not offer any rental equipment for landfill applications. They also contacted Linder Machinery of Greer, SC and they prefer their machines not to be used in a landfill, unless the rental piece has the landfill protective package, which they did not have one available that would meet their requirements. Flint Equipment of Simpsonville, SC is the only dealer that has equipment that will be allowed in the landfill.

ATTACHMENT(S):

1. Flint Equipment Rental Quote for additional 6 months' rental

STAFF RECOMMENDATION:

It is the staff's recommendation that Council:

1. Approve Change Order # 2 PO 53915 to Flint Equipment of Simpsonville, SC for the rental extension of the 1050K Dozer in the amount of \$89,130.00. This will bring the total amount of the PO to \$122,958.00.
2. Authorize the County Administrator to sign / execute the change order.

Submitted or Prepared By: *Tronda C. Popham*
Tronda C. Popham, Procurement Director


Approved for Submittal to Council: *Amanda F. Brock*
Amanda F. Brock, County Administrator

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A calendar with due dates marked may be obtained from the Clerk to Council.



Oconee County
Council Office



Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29691

Phone: 864-718-1023
Fax: 864 718-1024

E-mail:
ksmith@oconeesc.com

John Elliott,
Chair Pro Tem
District I

Wayne McCall
District II

Paul A. Cain
Vice Chair
District III

Julian Davis, III
Chairman
District IV

J. Glenn Hart
District V



August 18, 2020

The Honorable Lindsey Graham
290 Russell Senate Office Building
Washington, DC 20510

Dear Senator Graham:

We, the Oconee County Council, have witnessed a constant attack on the men and women of law enforcement throughout our country. We would like to show our support for law enforcement by asking the United States Congress to take all appropriate measures necessary to preserve qualified immunity.

Qualified immunity is a vital protection for law enforcement officers and their families against wrongful lawsuits which could result in personal bankruptcy. Recently, certain legislators have questioned this doctrine and considered making changes to or removing it completely. A decision such as this would negatively impact law enforcement's ability to recruit and retain officers by lessening the personal and financial protections offered under the qualified immunity doctrine.

In the same manner that law enforcement personnel serve and protect our families, preserving qualified immunity will serve and protect theirs.

Thank you for your consideration in this important matter.


Sincerely,



Julian Davis, III
Council Chairman
Oconee County Council



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Council Office**



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August 18, 2020

The Honorable Timothy E. Scott
104 Hart Senate Office Building
Washington, DC 20510

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In the same manner that law enforcement personnel serve and protect our families, preserving qualified immunity will serve and protect theirs.

Thank you for your consideration in this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julian Davis, III", is written over a faint map of South Carolina.

Julian Davis, III
Council Chairman
Oconee County Council

**Oconee County
Council Office**

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District V



August 18, 2020

U.S. Congressman Jeff Duncan
2229 Rayburn House Office Building
Washington, DC 20515

Dear Representative Duncan:

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Julian Davis, III
Council Chairman
Oconee County Council

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Chairman
District IV

J. Glenn Hart
District V



August 18, 2020

Senator Thomas C. Alexander
SC Senate
313 Gressette Bldg.
Columbia, SC 29201

Dear Senator Alexander:

We, the members of Oconee County Council, acknowledge that our county is facing an opioid overdose epidemic. Heroin and fentanyl are becoming mainstream drugs in our county, resulting in eight (8) drug-related deaths this year and twenty-four (24) overdose deaths in 2019. Although dozens of our citizens have survived through emergency medical intervention, greater action is needed to address this serious issue.

We respectfully ask that our state legislators revise or introduce legislation to combat the distribution of these substances in our county. Current laws are vague and revisions or additional legislation could provide greater clarity and increase our ability to fight this epidemic.

Thank you for your consideration in this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julian Davis, III", is written over a faint map of Oconee County.

Julian Davis, III
Council Chairman
Oconee County Council

**Oconee County
Council Office**

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29691

Phone: 864-718-1023
Fax: 864 718-1024

E-mail:
ksmith@oconeesc.com

John Elliott,
Chair Pro Tem
District I

Wayne McCall
District II

Paul A. Cain
Vice Chair
District III

Julian Davis, III
Chairman
District IV

J. Glenn Hart
District V



August 18, 2020

Representative William E. Sandifer, III
SC House of Representatives
407 Blatt Bldg.
Columbia, SC 29201

Dear Representative Sandifer:

We, the members of Oconee County Council, acknowledge that our county is facing an opioid overdose epidemic. Heroin and fentanyl are becoming mainstream drugs in our county, resulting in eight (8) drug-related deaths this year and twenty-four (24) overdose deaths in 2019. Although dozens of our citizens have survived through emergency medical intervention, greater action is needed to address this serious issue.

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J. Glenn Hart
District V



August 18, 2020

Representative William R. Whitmire
SC House of Representatives
436C Blatt Bldg.
Columbia, SC 29201

Dear Representative Whitmire:

We, the members of Oconee County Council, acknowledge that our county is facing an opioid overdose epidemic. Heroin and fentanyl are becoming mainstream drugs in our county, resulting in eight (8) drug-related deaths this year and twenty-four (24) overdose deaths in 2019. Although dozens of our citizens have survived through emergency medical intervention, greater action is needed to address this serious issue.

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Julian Davis, III
Council Chairman
Oconee County Council



Boards & Commissions

Boards & Commissions	State / OC Code Reference	Reps [DX-At Large-Ex Office]	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	John Elliott	Wayne McCall	Paul Cain	Julian Davis	Glenn Hart					
							2019-2022	2017-2020	2019-2022	2017-2020	2017-2020	2019-2022	2017-2020	2019-2022	2017-2020	
							District I	District II	District III	District IV	District V	At Large	At Large	Ex-Officio		
Aeronautics Commission	2-262	5 - 2	YES	n/a	YES	Jan - March	Randy Renz [3]	David Bryant [1]	Auby Perry [3]	Marion Lyles [1]	Ronald Chiles [2]	A. Brightwell [2]	Michael Gray [<1]			
Ag. Advisory Board	2016-17	5 - 2 - 1	YES	n/a	YES	Jan - March	Kim Alexander [1]	Doug Hollifield [<1]	Sandra Gray [2]	Ed Land [<1]	Amanda Callahan	Debbie Sewell [2]	Rex Blanton [1]	Kerrie Roach [1]		
Arts & Historical Commission	2-321	5 - 2	YES	2X	YES	Jan - March	Aubrey Miller [1]	Libby Imbody [1]	Thomas Jones [<1]	VACANT	Mike Phillips	Daniel Dreher [1]	Suzette Cross [1]			
Board of Zoning Appeals	38-6-1	5 - 2	YES	2X	YES	Jan - March	Jim Codner [2]	Gwen Fowler [1]	Bill Gilster [2]	Marty McKee [<2]	VACANT	John Eagar [1]	Charles Morgan [<1]			
Building Codes Appeal Board		0-7	YES	2X	YES	Jan - March	Matt Rochester [2] Kenneth Owen [1]; Kevin Knight [1]; John Sandifer [1]			Joshua Lusk [1]; Osceola Gilbert [1] ; VACANT						
Conservation Bank Board	2-381	Appointed by Category Preferred		2X	YES	Jan - March	Laura Havran [1]	Andrew Smith [1]	D. Ryan Keese [1]	Marvin Prater [2]	VACANT	Emily Hitchcock [1]	VACANT			
Destination Oconee Action Committee																
PRT Commission [members up for reappointment due to initial stagger]	6-4-25 2-381	Appointed by Industry		2X	YES	Jan - March	Shane Smith [1]; Andrew Conkey [1]; Kevin Evans [2]			Trey Barnett [1], Riley Johnson [1], Gregory Coutu [1]		Alex Butterbaugh [1]				
Scenic Highway Committee	26-151	0 - 2	YES	2X	YES	Jan - March						Scott Lusk [1]	Stanley Powell [1]			
Library Board	4-9-35 / 18-1	0 - 9	YES	2X	YES	Jan - March	Clifton Powell [<1, 1/7/2020]; Diane Smathers [1, 1/19]; Katherine Smith [1, 1/19]			B. Brackett [1/17][1]; A. Griffin [1/17][1]; K. Holleman [1/17][2]; L. Martin [1/17][2]; A. Suddeth [1/17][2]; C. Morrison [1/17][1]						
Planning Commission	6-29-310 32-4	5 - 2	YES	N/A	YES	Jan - March	Mike Smith [1]	Andrew Gramling [1]	Alex Vassey [2]	Frankie Pearson [1]	Stacy Lyles [1]	Gwen McPhail [2]	Mike Johnson [2]			
Anderson-Oconee Behavioral Health Services Commission	2-291	0 - 7	YES	2X	3 yr	N/A	Steve Jenkins [1], Harold Alley [1], Louie Holleman [1], Wanda Long [1], Priscilla Taylor [1], Joan Black [1], Jere DuBois [1]								BHS contacts Council w/ recommendations when seats open	
Capital Project Advisory Committee (end 1.17)																
Oconee Business Education Partnership	N/A	N/A	NO	N/A	NO	January	Mr. Julian Davis, District IV									
Oconee Economic Alliance	N/A	N/A	NO	N/A	NO	January	Mr. Paul Cain, Council; Ms. Amanda Brock, County Administrator; Mr. Sammy Dickson									
Ten At The Top [TATT]				NO	NO	January	Mr. Dave Eldridge									
ACOG BOD				N/A	NO	January	Council Rep: Mr. John Elliott [yearly]; 2 yr terms Citizen Rep: Mr. Julian Davis, Minority Rep: Marta Wahlen									
Worklink Board						N/A	Worklink contacts Council w/ recommendations when seats open [Current: B. Dobbins]									
[#] - denotes term. [<2] denotes a member who has served one term and less than one half of an additional term making them eligible for one additional appointment.																
[SHADING = reappointment requested - questionnaire on file]							Denotes individual who DOES NOT WISH TO BE REAPPOINTED									
<i>Bold Italics TEXT denotes member ineligible for reappointment - having served or will complete serving max # of terms at the end of their current term.</i>																

Katie Smith

From: Katie Smith
Sent: Tuesday, July 21, 2020 11:27 AM
To: 'classadmgr@upstatetoday.com'
Cc: Katie Smith
Subject: Legal Ad Request

Please run in the next edition of your publication. Please respond to the email to confirm receipt.

“Notice of Public Hearing

There will be a public hearing at 6pm, Tuesday, August 18, 2020 in Oconee County Council Chambers located at 415 South Pine Street, Walhalla, SC 29691 for the following ordinance:

STATE OF SOUTH CAROLINA
OCONEE COUNTY
Ordinance 2020-09

AN ORDINANCE AMENDING THE “SIGN CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA.”

Please confirm receipt of this email by way of reply.

Best Regards,
Katie

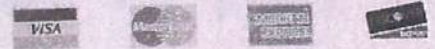
Katie D. Smith
Clerk to Council
415 South Pine Street
Walhalla, SC 29691
864-718-1023
864-718-1024 [fax]

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■ SALES & SERVICES

AUCTIONS

LAND AUCTION
AUG. 8, 2020 1 P.M.
 (16) 1-3 acre lots
 Gated Mountain Communities
 Haywood County,
 North Carolina,
 151 acre Mountain trac- springs,
 lake sites, 3/2 home
ERA Sunburst Realty
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 Randy Flanigan NCAL6421
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706-207-9436

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LEGALS

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AN ORDINANCE AMENDING THE
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 CONTROL ORDINANCE OF OCO-
 NEE COUNTY, SOUTH CAROLI-
 NA."

PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

OCONEE COUNTY COUNCIL

IN RE: Notice of Public Hearing Ordinance 2020-09

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 07/22/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

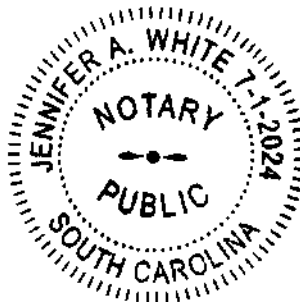


Hal Welch
General Manager

Subscribed and sworn to before me this
07/22/2020



Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024



Katie Smith

From: Katie Smith
Sent: Tuesday, July 21, 2020 11:34 AM
To: 'classadmgr@upstatetoday.com'
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Best Regards,
Katie

Katie D. Smith
Clerk to Council
415 South Pine Street
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COUNTY OF OCONEE**

OCONEE COUNTY COUNCIL

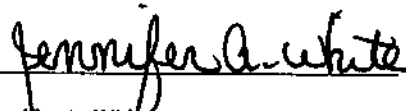
IN RE: Notice of Public Hearing Ordinance 2020-10

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 07/22/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

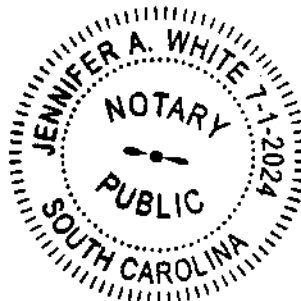


Hal Welch
General Manager

Subscribed and sworn to before me this
07/22/2020



Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024



Oconee County Council

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29691

Phone: 864-718-1023
Fax: 864 718-1024

E-mail:
ksmith@oconeesc.com

John Elliott
Chair Pro Tem
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District III

Julian Davis, III
Chairman
District IV

J. Glenn Hart
District V



The Oconee County Council will meet in 2020 on the first and third Tuesday of each month with the following exceptions:

- April, July, August, & November meetings, which will be **only** on the third Tuesday of each of the four months.

All Council meetings, unless otherwise noted, are held in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina.

Oconee County Council will also hold a Planning Retreat from 9:00 a.m. to 12:00 p.m. on Tuesday, February 11, 2020 in Council Chambers to establish short and long term goals.

Oconee County Council will also meet on Tuesday, January 5, 2021 in Council Chambers at which point they will establish their 2021 Council and Committee meeting schedules.

Oconee County Council will also hold a Budget workshop on Tuesday, March 10, 2020 in Council Chambers.

Additional Council meetings, workshops, and/or committee meetings may be added throughout the year as needed.

Oconee County Council Committees will meet in 2020 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health, & Welfare Committee at 4 p.m. on the following dates: February 4, March 17, July 21, & October 6, 2020.

The Transportation Committee at 4:30 p.m. on the following dates: February 18, May 19, August 18, & October 20, 2020.

The Real Estate, Facilities, & Land Management Committee at 4 p.m. on March 17 and 4:30 p.m. on the following dates: June 16, September 15, & November 17, 2020.

The Budget, Finance, & Administration Committee at 4:30 p.m. on the following dates: March 10 [Budget Workshop], April 21, May 5, May 19, & June 2, 2020.

The Planning & Economic Development Committee at 4:30 p.m. on the following dates: March 3, June 2, September 1, & November 17, 2020.

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■ LEGAL NOTICES

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PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

OCONEE COUNTY COUNCIL

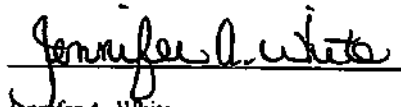
IN RE: NOTICE OF MEETING SCHEDULE AND EXCEPTIONS FOR 2020

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in Oconee County, Pickens County and the Pendleton area of Anderson County and the notice (of which the annexed is a true copy) was inserted in said papers on 01/10/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

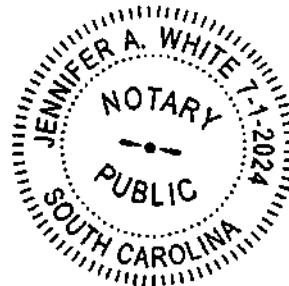


Hal Welch
General Manager

Subscribed and sworn to before me this
01/10/2020



Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024



Katie Smith

From: Katie Smith
Sent: Monday, August 3, 2020 11:17 AM
To: 'classadmgr@upstatetoday.com'
Cc: Katie Smith
Subject: Legal Ad Request

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“Public Notice

The Oconee County Council meeting scheduled for 6pm, Tuesday, August 18, 2020 will have changes to the Public Comment Session and the Public Hearings as indicated below. Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a “first-come” basis. Please contact Katie Smith, Clerk to Council at ksmith@oconeesc.com or 864-718-1023 regarding the following:

- If you are unable to attend in person and have a comment you would like to submit, please contact our Clerk to Council to receive your comment and read into the record.
- If you are unable to attend in person and would like to be heard during the public hearings, please contact our Clerk to Council so that she may coordinate your participation by telephone.”

Please confirm receipt of this email by way of reply.

Best Regards,
Katie

Katie D. Smith
Clerk to Council
415 South Pine Street
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864-718-1023
864-718-1024 [fax]

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■ LEGAL NOTICES

LEGALS

NOTICE

The Construction, Maintenance & Aesthetic Board of Adjustment will hold a Public Hearing on Tuesday, August 18th, 2020 at 4:00 p.m. in the City Hall Council Chambers for the purpose of hearing the following proposed application:

Docket Item 1: Adjustment Application: 2020-01 Property Owner: Randall and Rebecca White Property Address: 506 Robinhood Dr. Tax Map #: 520-54-01-005

All persons interested are invited to attend this meeting. For more information call 885-2726

NOTICE

THE SENECA POLICE Dept is currently accepting sealed bids on uniforms and/or equipment for the 2020/2021 fiscal year. A complete list of items to be bid on is available for pickup at the Seneca Police Dept. Deadline for bids to be received is 4:00 P.M., August 11, 2020.

Please send bids to: Jeremy Rothell Seneca Police Dept. PO Box 4773 Seneca, SC 29679 Attention: Uniform Bids

Public Notice

The Oconee County Council meeting scheduled for 6pm, Tuesday, August 18, 2020 will have changes to the Public Comment Session and the Public Hearings as indicated below. Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a "first-come" basis. Please contact Katie Smith, Clerk to Council at ksmith@oconeesc.com or 864-718-1023 regarding the following:

If you are unable to attend in person and have a comment you would like to submit, please contact our Clerk to

■ LEGAL NOTICES

LEGALS

Council to receive your comment and read into the record. If you are unable to attend in person and would like to be heard during the public hearings, please contact our Clerk to Council so that she may coordinate your participation by telephone.

Public Notice

The Oconee County Transportation AND the Real Estate, Facilities, & Land Management Committee Meetings scheduled for 4:30 p.m., Tuesday, August 18, 2020 will have limited in-person attendance by members of the general public due to the Novel Coronavirus pandemic and the ongoing state of emergency. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a "first-come" basis.

STATE OF SOUTH CAROLINA COUNTY OF PICKENS IN THE FAMILY COURT 13th JUDICIAL CIRCUIT C/A #2020-DR-39-433

Kimberly Diane Coker Jordan, Plaintiff VS. Jordan Thomson, Defendant

SUMMONS

TO THE ABOVE defendant: Jordan Thomson

YOU ARE HEREBY summoned and required to answer the Complaint for the termination of parental rights and adoption in this action, a copy of which herewith served upon you, and to serve a copy of your answer to this Complaint on the Plaintiff or her attorney, Karen G. Pruitt, located at 201 Werner Street, Central, South Carolina 29630, within thirty (30) days after the service thereof, exclusive of the day of such service. If you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in the Complaint.

NOTICE OF FILING

An action for termination of parental rights and adoption was filed on June 25, 2020 in the Pickens County Family Court. If you wish to object to this action, you must respond in writing to the Pickens County Family Court, Post Office Box 215, Pickens, South Carolina, 29671, and to the Plaintiff's attorney, Karen G. Pruitt, within thirty (30) days from the date of this publication. You must also inform the Court of your current address and of any subsequent address changes. Failure to respond within thirty (30) days of receiving notice shall constitute consent to the above referenced action for custody.

KAREN G. PRUITT ATTORNEY FOR PLAINTIFFS 201 WERNER STREET CENTRAL, SC 29630 864-639-1800 SC BAR#11805 August 3, 2020

SE

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STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

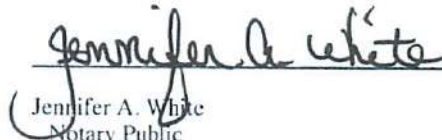
IN RE: The Oconee County Council meeting Tuesday, August 18

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of THE JOURNAL, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in Oconee County, Pickens County and the Pendleton area of Anderson County and the notice (of which the annexed is a true copy) was inserted in said papers on 08/04/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch
General Manager

Subscribed and sworn to before me this
08/04/2020



Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024





Public Comment
SIGN IN SHEET
6:00 PM

August 18, 2020

The Public Comment Sessions at this meeting is limited to a total of 40 minutes, 4 minutes per person. Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker.

PLEASE PRINT

	FULL NAME	PURPOSE OF COMMENT
1	Gavin McPhail	commemoration to Mr. McCall
2	Travis Nix	Stop & Convey
3	Arin Farmer	Reminder of commission of African American Affairs
4		
5		
6	Gale Taft	Written comment
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Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

Oconee County Planning Commission

08/17/2020

To whom it may concern:

The Oconee County Planning Commission would like to recognize Mr. Wayne McCall's commitment and service to the citizens of Oconee County as a member of County Council for the past twelve years. For many years, Mr. McCall has provided invaluable services to Duke Power as well as other industries and businesses in the county through his industrial shop, but for three terms in office he has been a tireless supporter of fire fighters and law enforcement across the entire county, he worked countless hours on the repairs and restoration of the Walhalla City Pool to provide activities for the youth of Walhalla, he assured that dependable communications were provided to assist with the health needs of Walhalla's Senior citizens and has donated his Council salary to help Seniors keep current on the taxes on their homes. We would like to say "thank-you" to Mr. McCall for his time and efforts on behalf of the citizens of Oconee.

Respectfully,

Members of the Oconee County Planning Commission

Katie Smith

From: Gale Taft <taftgale@gmail.com>
Sent: Tuesday, August 18, 2020 4:24 PM
To: Katie Smith
Subject: Statement for Public Comment 8-18-2020

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

Hi Katie,

Unfortunately, I will only be able watch tonight's meeting via Oconee Livestream. I know it's short but will you please submit this as public comment for me.

Thank you!

Gale Taft
1486 Goddard Ave
Seneca, SC 29678
District 3

I oppose the letter of support for qualified immunity. Our government should be "For the people, By the people". We should all be held accountable to the same rules of law.



**PUBLIC HEARING
SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: August 18, 2020 6:00 p.m.**

Ordinance 2020-09 "AN ORDINANCE AMENDING THE "SIGN CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA."

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Everyone speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

Public comment during a public hearing is not limited to four minutes per person.

Sign up sheets will be available thirty minutes prior to the hearing for those interested in addressing Council.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

Please PRINT your name

1.	Joey Lemmons
2.	Trey Lemmons
3.	
4.	
5.	
6.	
7.	
8.	Frankie Pearson
9.	Jeffrey BARNETT
10.	
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12.	Tony Adams - written comment
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Trey Lemmons
PH 2020-09

The fleeting seconds where you glance at a billboard while driving down a road can have a significant impact on the way you drive, even if you don't notice the change.

A new study commissioned by the Outdoor Media Association has revealed that roadside advertising can play a big role in improving motorists' driving skills.

Research shows 88 per cent of driver distraction occurs inside the car, whether it is looking at a mobile phone, eating or passing an item to a passenger. As often as every minute and a half, drivers perform a "secondary task" that takes their attention away from the road.

The aim of the study was to see how a factor outside of the vehicle, such as a billboard, would impact driver behaviour.

Digital billboards were used at two different complex intersections in Queensland, one on the Gold Coast and one in Gladstone. Data was captured over four weeks, before and after the billboards were installed, looking at specific times of day including morning and afternoon peak-hour and night-time. Researchers looked for two key indicators of distraction that often lead to crashes: drifting within a lane and stopping over the line. Together, these bad driving practices are responsible for 75 per cent of serious accidents.

When the digital billboards were switched on, researchers found that lane drifting either improved or was unaffected. Stopping over the line significantly improved and no crashes or red light runners were recorded while the billboards were on — apparently because drivers were encouraged to look up from in-car distractions.

These results suggest the "presence of digital billboards may focus lateral attention, reduce visual distraction and improve driving performance", researchers reported.

Trey Lemmons
PH 2020-09

Drivers are not distracted by digital billboards alongside roads, according to a study conducted by the Department of Transportation (DOT).

The study, which was released by the Federal Highway Administration (FHA), found that drivers are not any more likely to be distracted by digital billboards than stationary signs.

"On average, the drivers in this study devoted between 73 and 85 percent of their visual attention to the road ahead for both [Commercial Electronic Variable Message Signs] and standard billboards," the study said. "This range is consistent with earlier field research studies. In the present study, the presence of CEVMS did not appear to be related to a decrease in looking toward the road ahead."

The study surveyed drivers in Richmond, Va. and Reading, Pa. and found that the average length of time drivers spent looking at digital billboards was 379 milliseconds, compared to 335 milliseconds for standard signs.

The results were both well below the "currently accepted threshold of 2,000 milliseconds," the study said.

"The results did not provide evidence indicating that CEVMS, as deployed and tested in the two selected cities, were associated with unacceptably long glances away from the road," the study said. "When dwell times longer than the currently accepted threshold of 2,000 [milliseconds] occurred, the road ahead was still in the driver's field of view. This was the case for both CEVMS and standard billboards."

The results were cheered by the Washington, D.C.-based Outdoor Advertising Association of America (OAAA), which has pushed the transportation department to relax its rules regarding digital billboards.

"Studies have long shown that digital billboards do not cause distracted driving," the outdoor advertising agency said in a statement. "The new federal study released on Dec. 30 comes to the same conclusion."

South Carolina Legislature

South Carolina Law > Code of Laws > Title 57

Public Hearing
for
2020-09 -
Frankie Pearson

South Carolina Code of Laws Unannotated

Title 57 - Highways, Bridges and Ferries

CHAPTER 25

Outdoor Advertising

ARTICLE 1

General Provisions

SECTION 57-25-10. Unlawful to display, place, or affix posters within right-of-way.

It is unlawful for a person to display, place, or affix a sign, as defined in Section 57-25-120(3), within a right-of-way and visible from the main-traveled way of the highway. A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

HISTORY: 1962 Code Section 33-551; 1973 (58) 247; 1990 Act No. 519, Section 1.

SECTION 57-25-15. Highway signs.

The prohibition of Section 57-25-10 does not extend to a welcome sign or other sign providing directions to a public facility or event erected by the governing body of a county, municipality or organized church if the sign presents no traffic hazard. If the sign is placed on a highway right-of-way, it must meet the approval of the department for size, location, and supports.

HISTORY: 1994 Act No. 431, Section 1.

SECTION 57-25-20. Obscene or indecent billboards prohibited.

(A) No billboard shall be erected or displayed containing obscene or indecent words, photographs, or depictions.

(B) Obscene words, photographs, or depictions must be defined and interpreted as provided in Section 16-15-305(B), (C), (D), and (E).

(C) A billboard is indecent when:

(1) taken as a whole, it describes, in a patently offensive way, as determined by contemporary community standards, sexual acts, excretory functions, or parts of the human body; and

(2) taken as a whole, it lacks serious literary, artistic, political, or scientific value.

HISTORY: 1990 Act No. 519, Section 3.

SECTION 57-25-30. Erection of bus shelters; location; permit requirement; fee.

(A) Bus shelters, including those on which commercial advertisements are placed, may be erected and maintained within the rights-of-way of public roads by the State. A bus shelter located within the right-of-way of a state road shall comply with all applicable requirements of the Department of Transportation, Title 23 of the United States Code, and Title 23 of the Code of Federal Regulations. A bus shelter located within the right-of-way of a road other than a state road shall comply with all applicable requirements of the municipality or county within whose jurisdiction it is located.

(B) A person erecting a bus shelter shall obtain a permit for each shelter location from the Department of Transportation. The permit shall cost twenty-five dollars. Permit fees must be placed in the department's trust fund and used for public transportation purposes.

HISTORY: 1995 Act No. 145, Part II, Section 93.

SECTION 57-25-40. Commercial advertisement benches; application by regional transit authority or public transit operator to install.

Notwithstanding any other provision of law to the contrary, upon proper application the Department of Transportation may issue appropriate permits to a regional transit authority or public transit operator to install and maintain benches upon which commercial advertisements are placed provided that each bench will be located at one of the applicant's bus stops, the proposed location for the bench is within the right-of-way of a public road, and the applicant otherwise meets all relevant federal statutory and regulatory requirements. The department may charge a permit fee of twenty-five dollars for each permit application. All permits issued pursuant to this section expire on July 1, 2010.

HISTORY: 2008 Act No. 347, Section 40, eff June 16, 2008.

ARTICLE 3

Highway Advertising Control Act

SECTION 57-25-110. Short title.

This article may be cited as the "Highway Advertising Control Act".

HISTORY: 1962 Code Section 33-591.11; 1971 (57) 2061; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530.

SECTION 57-25-120. Definitions.

As used in this article:

(1) "Interstate system" means that portion of the national system of interstate and defense highways located within this State officially designated now or in the future by the Department of Transportation and approved by the appropriate office of the United States Government pursuant to the provisions of Title 23, United States Code, "Highways".

(2) "Federal-aid primary system" means that portion of connected main highways which officially are designated as the federal-aid primary highway system now or in the future by the Department of Transportation and approved by the appropriate office of the United States Government pursuant to the provisions of Title 23, United States Code, "Highways".

(3) "Sign" or "outdoor advertising sign" means an outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing which is designed, intended, or used to advertise or inform, or any part of the advertising or its informative contents.

(4) An "unzoned commercial or industrial area" does not include land established as a scenic area pursuant to Section 57-25-140(D)(4) or land zoned by a subdivision of government. An unzoned commercial, business, or industrial area means the land occupied by the regularly used building, parking lot, and storage and processing area of a commercial, business, or industrial activity and land within six hundred feet of it on both sides of the highway. The unzoned land does not include:

(a) land on the opposite side of an interstate or freeway primary federal-aid highway;

(b) land predominantly used for residential purposes;

(c) land zoned by state or local law, regulation, or ordinance except land which is zoned in a manner which allows essentially unrestricted development or where regulation of size, spacing, and lighting of signs is unrestricted or less restrictive than the restrictions imposed by Section 57-25-140;

(d) land on the opposite side of a nonfreeway primary highway which is designated scenic by the commission.

(5) "Commercial or industrial activities" means those established activities generally recognized as commercial or industrial by zoning authorities within the State, except that none of the following are considered commercial or industrial activities:

(a) outdoor advertising structures;

(b) agriculture, forestry, ranching, grazing, farming, wayside produce stands, quarries, and borrow pits;

(c) activities conducted in a building principally used as a residence;

(d) hospitals, nursing homes, or long-term care facilities;

(e) transient or temporary activities;

(f) activities not visible from the main-traveled way;

(g) activities more than six hundred sixty feet from the nearest edge of the right-of-way of interstate and freeway primary federal-aid highways or more than three hundred feet from the nearest edge of the right-of-way of nonfreeway primary federal-aid highways;

(h) railroad tracks and minor sidings;

(i) sham, prohibited, or illegal activities;

(j) junkyards;

(k) schools, churches, or cemeteries;

(l) recreational facilities.

(6) "Freeway primary federal-aid highway" means a divided arterial highway for through traffic with full control of access built to the same standards as to access as an interstate highway, which is officially designated now or in the future as a part of the federal-aid primary system.

(7) "Adult business" means a nightclub, bar, restaurant, or another similar establishment in which a person appears in a state of sexually explicit nudity, as defined in Section 16-15-375, or semi-nudity, in the performance of their duties.

(8) "Semi-nudity" means a state of dress in which opaque clothing fails to cover the genitals, anus, anal cleft or cleavage, pubic area, vulva, nipple and areola of the female breast below a horizontal line across the top of the areola at its highest point. Semi-nudity includes the entire lower portion of the female breast, but does not include any portion of the cleavage of the human female breast exhibited by wearing clothing provided the areola is not exposed in whole or in part.

(9) "Sexually-oriented business" means a business offering its patrons goods of which a substantial portion are sexually-oriented materials. A business in which more than ten percent of the display space is used for sexually-oriented materials is presumed to be a sexually-oriented business.

(10) "Sexually-oriented materials" means textual, pictorial, or three-dimensional material that depicts nudity, sexual conduct, sexual enticement, or sadomasochistic abuse in a way that is patently offensive to the average person applying contemporary adult community standards with respect to what is suitable for minors. Sexually-oriented materials include obscene materials as defined in Section 16-15-305(B).

HISTORY: 1962 Code Section 33-591.1; 1971 (57) 2061; 1975 (59) 596; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530; 2006 Act No. 235, Section 3.B, eff February 22, 2006.

Editor's Note

2006 Act No. 235, Section 6, provides as follows:

"This act takes effect upon approval by the Governor. Nothing in this act preempts or otherwise alters, modifies, applies to, or effects relocation or removal of any off-premises outdoor advertising signs pursuant to an ordinance or regulation enacted by a local governing body prior to April 14, 2005. It is the intent of the General Assembly that nothing in this act may be construed to require the payment of monetary compensation for any off-premises outdoor advertising signs relocated or removed pursuant to an ordinance enacted before the effective date of this act unless the ordinance otherwise requires the payment of monetary compensation."

SECTION 57-25-130. Declaration of purpose.

The General Assembly finds that outdoor advertising is a legitimate form of commercial use of the private property adjacent to the public highways. The General Assembly also finds that outdoor advertising is an integral part of the business and marketing function and is an established segment of the national economy which serves to promote and protect investments in commerce and industry and is, therefore, a business which must be allowed to exist and operate where other business and commercial activities are conducted and that a reasonable use of property for outdoor advertising to the traveling public is desirable. In order, however, to prevent unreasonable

distraction of operators of motor vehicles, prevent confusion with regard to traffic lights, signs, or signals, prevent interference with the effectiveness of traffic regulations, promote the prosperity, economic well-being, and general welfare of the State, mitigate the adverse secondary effects of sexually-oriented businesses and limit harm to minors, promote the safety, convenience, and enjoyment of travel on and protection of the public investment in highways within this State, and preserve and enhance the natural scenic beauty or aesthetic features of the highways and adjacent areas, the General Assembly declares it to be the policy of this State that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the rights-of-way of the interstate and federal-aid primary systems within this State must be regulated in accordance with the terms of this article which provide for standards consistent with customary use in this State and finds that all outdoor advertising devices which do not conform to the requirements of this article are illegal. It is the intention of the General Assembly in this article to provide a statutory basis for regulation of outdoor advertising consistent with the public policy relating to areas adjacent to interstate and federal-aid primary systems declared by Congress in Title 23, United States Code, "Highways".

HISTORY: 1962 Code Section 33-591; 1971 (57) 2081; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530; 2006 Act No. 235, Section 3.C, eff February 22, 2006.

Editor's Note

2006 Act No. 235, Section 6, provides as follows:

"This act takes effect upon approval by the Governor. Nothing in this act preempts or otherwise alters, modifies, applies to, or effects relocation or removal of any off-premises outdoor advertising signs pursuant to an ordinance or regulation enacted by a local governing body prior to April 14, 2005. It is the intent of the General Assembly that nothing in this act may be construed to require the payment of monetary compensation for any off-premises outdoor advertising signs relocated or removed pursuant to an ordinance enacted before the effective date of this act unless the ordinance otherwise requires the payment of monetary compensation."

SECTION 57-25-140. Signs permitted along interstate or federal-aid primary highways; customary use exception; removal of vegetation from right-of-ways.

(A) An outdoor advertising sign must not be erected or maintained after June 30, 1975, which is visible from the main-traveled way of the interstate or federal-aid primary highways in this State and erected with the purpose of its message being read from the traveled way, except the following:

(1) official signs and notices erected and maintained by the State or local governmental authorities pursuant to laws or ordinances for the purpose of carrying out an official duty or responsibility and historical markers authorized by law and erected by the State, local governmental authorities, or nonprofit historical societies;

(2) public utility warning and informational signs, notices, and markers which customarily are erected and maintained by publicly or privately owned utilities as essential to their operations;

(3) signs and notices of service clubs and religious organizations relating to meetings of nonprofit service clubs, charitable organizations or associations, or religious services;

(4) directional signs containing directional information about public places owned and operated by federal, state, or local governments, public or privately owned natural phenomena, historical, cultural, educational, and religious sites, and areas of natural scenic beauty or naturally suited for outdoor recreation, considered to be in the public interest;

(5) signs advertising the sale or lease of property upon which they are located;

(6) on-premises signs advertising activities conducted on the property upon which they are located, including any signs advertising a business located on property under single ownership on which are located two or more businesses, regardless of leasing arrangements;

(7) signs located in areas which are zoned industrial or commercial under authority of state law;

(8) signs located in unzoned commercial or industrial areas.

(9) signs of thirty-two square feet or less advertising agricultural products of a seasonal nature, signs of a political nature, signs erected by or on the behalf of eleemosynary, civic, nonprofit, church, or charitable organizations, or signs advertising special community events which are erected temporarily for ninety days or less.

(B) Signs are not permitted in any of the above categories which imitate or resemble an official traffic sign, signal, or device, are erected or maintained upon trees, are printed or drawn upon rocks or other natural features, or are in disrepair.

(C) The size of a sign permitted under items (7) and (8) of subsection (A) must not be more than six hundred seventy-two square feet in area, sixty feet in length, or forty-eight feet in height. All dimensions include border and trim but exclude decorative bases and supports. Cutouts and extensions are in addition to this amount but may not increase the height of a sign to more than forty-eight feet and may not increase the size of a sign facing by more than one hundred fifty square feet. No more than two sign panels facing in the same direction may be erected on the same sign structure if the total area of both sign panels does not exceed the maximum. The maximum size limitation applies to each sign facing.

(D) No sign permitted under this section may obscure or otherwise interfere with the effectiveness of an official traffic sign, signal, or device nor obstruct or interfere with the driver's view of approaching, merging, or intersecting traffic. No sign except on premises and FOR SALE or LEASE signs may be located within three hundred feet of any of the following which are adjacent to the highway in areas outside of incorporated municipalities or within one hundred feet on sections inside municipalities:

(1) public parks of ten acres or more;

(2) public forests;

(3) public playgrounds of one-half acre or more;

(4) scenic areas designated by the commission or other state agency having and exercising that authority.

(E) No sign structure permitted under items (7) and (8) of subsection (A) on the interstate system or on a federal-aid primary route, constructed to controlled access standards, may be erected within five hundred feet of another sign structure on the same side of the highway. No sign may be located on the interstate system or controlled access federal-aid primary route adjacent to or within five hundred feet of an interchange or a rest area measured along the interstate or controlled access primary highways from the nearest point of the beginning or ending of pavement widening at the exit from or entrance to the main-traveled way. The distance from an interchange or a rest area set forth in this subsection does not apply to sites adjacent to highways that are within the boundaries of an incorporated municipality. No sign structure permitted under items (7) and (8) of subsection (A) on a noncontrolled access federal-aid primary route outside of an incorporated municipality may be erected within three hundred feet of another sign structure on the same side of the highway. No sign structure located adjacent to a noncontrolled access federal-aid primary route may be erected within a distance of one hundred feet of another sign structure inside an incorporated municipality on the same side of the highway. This subsection does not apply to advertising displays which are separated by a building or other obstruction so that only one display located within the minimum spacing distance is visible from any point on the highway at any one time.

(F) No sign permitted under items (7) and (8) of subsection (A) may contain, include, or be illuminated by a flashing, intermittent, or moving light, except those giving public service information such as time, date, temperature, weather, or other similar information. No sign permitted under this section may be erected or maintained which is not shielded effectively so as to prevent beams or rays of light from being directed at a portion of the main-traveled way of an interstate or federal-aid primary route and which is of an intensity or brilliance so as to cause glare or to impair the vision of the driver of a motor vehicle or which otherwise may interfere with a driver's operation of a motor

vehicle. No sign may be illuminated so that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal.

(G) The standards contained in this section pertaining to size, shape, description, lighting, and spacing of outdoor advertising signs permitted in zoned and unzoned commercial and industrial areas do not apply to signs lawfully in place on this article's effective date. Signs lawfully in place on November 3, 1971, or erected within six months after that date under a lease dated and recorded before that date are exempted from the standards requirement.

(H) Whenever a bona fide county or local zoning authority has made a determination of customary use, which includes a regulation of size, lighting, and spacing of outdoor advertising signs, in zoned industrial or commercial areas, the determination prevails over the size, lighting, and spacing otherwise provided for the signs in subsections (C) and (E) if all of the following exist:

(1) The standards imposed on size, lighting, and spacing are at least as restrictive as the standards set forth in subsections (C), (D), (E), and (F).

(2) The zoning plan provides for effective enforcement by the zoning authority of the imposed restrictions.

(3) The zoning plan and amendments are submitted to and approved by the Department of Transportation before they prevail over the standards set forth in this section.

Zoning which controls contiguous tracts which comprise less than twenty percent of the land within a political subdivision or land which is zoned primarily to permit outdoor advertising signs is not considered zoning for the purposes of this section.

(I)(1) No person may cut, trim, or otherwise cause to be removed vegetation from within the limits of highway rights-of-way unless permitted to do so by the department. Permits to remove vegetation may be granted only for sign locations which have been permitted at least two years and then only at the sole discretion of the department.

(2) If vegetation is removed from within a highway right-of-way without a permit by the sign owner or his agent and the removal has the effect of enhancing the visibility of the outdoor advertising sign, the sign is illegal and must be removed at the responsible party's expense. Upon a violation of this subsection the responsible party is not eligible for a sign permit:

(a) for one year: first violation;

(b) for five years: second violation;

(c) permanently: third and subsequent violations.

(3) The department must be reimbursed for cleaning or replanting at the site of the illegal cutting by the responsible party. Until the expenses are reimbursed, the responsible party must not be issued a sign permit.

(J) Signs permitted under items (1), (2), (3), and (4) of subsection (A) must comply with the regulations promulgated by the commission in accordance with uniform national standards.

HISTORY: 1962 Code Section 33-591.2; 1971 (57) 2061; 1975 (59) 596; 1990 Act No. 519, Section 1; 1992 Act No. 473, Section 4; 1993 Act No. 181, Section 1530.

SECTION 57-25-145. Outdoor advertising signs for adult or sexually-oriented business; location restriction; continuation as nonconforming use; penalties.

(A) Notwithstanding the provisions of Section 57-25-140 or another provision of law, an off-premises, outdoor advertising sign for an adult or sexually-oriented business may not be located within one mile of a public highway.

(B) Outdoor advertising signs in existence at the time of the effective date of this section, which do not conform to the requirements of this section, may continue as a nonconforming use, but must conform within three years of the effective date of this section.

(C) An owner of an adult or sexually-oriented business who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than one year. Each week a violation of this section continues constitutes a separate offense.

HISTORY: 2006 Act No. 235, Section 3.A, eff February 22, 2006.

Editor's Note

2006 Act No. 235, Section 6, provides as follows:

"This act takes effect upon approval by the Governor. Nothing in this act preempts or otherwise alters, modifies, applies to, or effects relocation or removal of any off-premises outdoor advertising signs pursuant to an ordinance or regulation enacted by a local governing body prior to April 14, 2006. It is the intent of the General Assembly that nothing in this act may be construed to require the payment of monetary compensation for any off-premises outdoor advertising signs relocated or removed pursuant to an ordinance enacted before the effective date of this act unless the ordinance otherwise requires the payment of monetary compensation."

SECTION 57-25-150. Permits for erection and maintenance of signs; fees.

(A) The commission shall issue permits for the erection and maintenance of outdoor advertising signs coming within the exceptions contained in items (1), (2), and (3) of subsection (A) of Section 57-25-140, consistent with the safety and welfare of the traveling public necessary to carry out the policy of the State declared in this article and consistent with the national standards promulgated by the Secretary of Transportation or other appropriate federal official pursuant to Title 23, United States Code.

The commission also shall promulgate regulations governing the issuance of the permits and standards for size, spacing, and lighting of the signs and their messages.

(B) The Department of Transportation shall issue permits for all signs on location on November 3, 1971, except those signs erected pursuant to items (1), (2), (3), (5), and (6) of subsection (A) of Section 57-25-140. It also shall issue permits for the erection and maintenance of additional outdoor advertising signs coming within the exceptions contained within items (4), (7), and (8) of subsection (A) of Section 57-25-140. Sign owners must be assessed the following fees:

(1) the appropriate annual fee plus an initial nonrefundable permit application fee of one hundred dollars, except that the nonrefundable permit application fee shall be waived for South Carolina farmers advertising agricultural products produced on land that they farm which are for sale to the public and if the signs do not exceed thirty-two square feet;

(2) an annual fee of twenty dollars if the advertising area does not exceed three hundred fifty square feet; and

(3) an annual fee of thirty dollars if the advertising area exceeds three hundred fifty square feet.

The permit fees must be allocated first for administrative costs incurred by the department in maintaining the outdoor advertising program.

The permit number must be displayed prominently on the sign.

(C) Permits are for the calendar year, must be assigned a permanent number, and must be renewed annually upon payment of the fee for the new year without the filing of a new application. Fees must not be prorated for a portion of the year. Only one permit is required for a double-faced, back-to-back, or V-type sign. Advertising copy may

be changed without the payment of an additional fee. No permit is required before January 1, 1973. Failure to pay a renewal fee within ninety days of the date of the first bill for the fee cancels the permit and makes the sign illegal.

(D) The commission shall promulgate regulations governing the issuance of permits which must include mandatory maintenance to ensure that all signs are always in a good state of repair. Signs not in a good state of repair are illegal.

(E) The cost of permits or their renewals required under the provisions of this article are in addition to ad valorem taxes.

(F) No permit application may be approved without written permission of the owner or other person in lawful possession of the site designated as the location of the sign in the application.

(G) Permits for the following signs are void:

(1) a conforming sign that is removed voluntarily for more than thirty days; and

(2) a nonconforming sign that is removed voluntarily by the owner.

(H) Permits shall be maintained for nonconforming signs structurally damaged by vandalism, and:

(1) those signs may only be restored in kind;

(2) restoration may begin not earlier than ten business days after the department has received notice of the vandalism from the sign owner, but must begin no later than one hundred eighty days after the department has received the report of vandalism pursuant to subsection (H)(3); and

(3) restoration shall not begin until a report of the vandalism incident has been made by the appropriate law enforcement authority and the report has been received by the department.

(I)(1) National Historic Landmark Section 501(C)(3) properties located along South Carolina highways and properties listed on the National Register of Historic Places by the Department of the Interior which are located along South Carolina highways are allowed to erect small directional signs no more frequently than one a mile within six miles of such properties.

(2) The signs shall state the name of the historic property and mileage and comprise no more than twenty letters measuring no more than fifteen inches by thirty-six inches and painted using a single color or a neutral background.

(3) The South Carolina Department of Transportation shall issue a permit sticker for each sign for an annual fee of fifteen dollars a sign. The department is also authorized to issue regulations as are necessary to implement the permit process and the conditions and restrictions for the proper placement, height, and design as necessary to the efficient administration of this subsection. The department has no responsibility for erecting these permitted signs.

HISTORY: 1962 Code Section 33-591.3; 1971 (57) 2061; 1990 Act No. 519, Section 1; 1992 Act No. 473, 1993 Act No. 164, Part II, Section 106A; 1993 Act No. 181, Section 1530; 1994 Act No. 431, Section 2; 2017 Act No. 27 (S.200), Section 1, eff May 10, 2017.

Effect of Amendment

2017 Act No. 27, Section 1, rewrote (G) and (H) and added (I), revising provisions that void permits for conforming and nonconforming signs removed in certain circumstances, providing that permits must be maintained for nonconforming signs structurally damaged by vandalism, and providing procedures for restoring such signs.

SECTION 57-25-155. Issuance of permits for existing signs; department not authorized to require removal of conforming signs.

Notwithstanding any other provision of law, the Department of Transportation must issue permits for existing signs and outdoor advertising signs on highways in the interstate system or federal-aid primary system in this State that are nonconforming only because a permit was not obtained prior to erection of the sign. The department may not require removal of conforming signs and outdoor advertising signs as a prerequisite to issuing a permit for such signs that would otherwise qualify for a permit.

HISTORY: 1992 Act No. 473, Section 3; 1993 Act No. 181, Section 1530.

SECTION 57-25-160. Erection and maintenance of illegal advertising device.

A person who erects or maintains an advertising device in violation of Section 57-25-140 is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than thirty days for each violation.

In addition, a person who violates the provisions of this chapter must be assessed by the department a civil penalty of one hundred dollars a day until the violation ends. A civil penalty must be paid to the department and allocated to the administrative costs of the outdoor advertising program. All monies in excess of the administrative costs must be used in the acquisition of nonconforming signs and may be carried over from year to year. No permit may be issued to a person who is in violation of the provisions of this chapter or who has not paid an assessed civil penalty.

HISTORY: 1962 Code Section 33-591.7; 1971 (57) 2061; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530.

SECTION 57-25-170. Information signs on highway right-of-way.

The commission may provide within the right-of-way for areas at appropriate distances from interchanges on the interstate system and controlled access roads on the federal-aid primary system on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained under standards and regulations authorized to be adopted and promulgated by the commission. The standards and regulations may provide for cooperative agreements between the Department of Transportation and private interests for the use and display of names for FOOD, LODGING, and GAS information signs on the highway right-of-way.

HISTORY: 1962 Code Section 33-591.4; 1971 (57) 2061; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530.

SECTION 57-25-180. Advertising devices violating article declared illegal; removal; just compensation for existing devices; right of entry for purpose of removal.

(A) An outdoor advertising sign which violates the provisions of this article is illegal and the Department of Transportation shall give thirty days' notice by certified or registered mail to the owner of the advertising sign and to the owner of the property on which the sign is located for its removal. However, a sign lawfully in existence along the interstate system or the federal-aid primary system on November 3, 1971, or which was lawfully erected after that date, which is not in conformity with the provisions contained in this article, is not required to be removed until just compensation has been paid for it. Except as provided in Section 57-25-160, no sign otherwise required to be removed under this article for which just compensation is authorized to be paid by the department is required to be removed if the federal share of at least seventy-five percent of the just compensation to be paid upon its removal is not available for the payment. Nothing in this section prevents the removal of nonconforming signs for which no federal share is payable in those instances where no compensation has to be paid.

(B) Employees or agents of the department may go upon the property upon which an illegal sign is located after expiration of the thirty-day period for the purpose of its removal. The period of the notice must be computed from the date of mailing. No notice, however, is required to be given to the owner of an advertising sign for which a permit has not been obtained. The moving of an illegal sign from one location to another without a permit having been obtained for the illegal sign does not require the

department to provide additional notice to the sign owner before removing the sign, even if the sign is moved from the property of one owner to the property of another.

(C) When the department removes an illegal sign, it must be reimbursed the removal expenses by the sign owner. The sign must be maintained in the possession of the department for no more than thirty days during which the sign may be claimed by the owner upon payment of the expenses. If the sign is not claimed during the thirty days, it is declared abandoned, becomes the property of the department, and may be disposed of through sale or in any other manner which the department considers appropriate. Even if the owner does not recover the sign, he remains liable to the department for the expenses incurred in removing and storing the sign. Until the expenses are reimbursed, the sign owner must not be issued a permit for an outdoor advertising sign from the department.

(D) Review of the department's determination that a sign is illegal is through an administrative hearing pursuant to the Administrative Procedures Act. Written request for the review must be received by the department within the thirty-day period.

HISTORY: 1962 Code Section 33-591.5; 1971 (57) 2061; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530.

SECTION 57-25-185. Department to promulgate regulations.

The Department of Transportation shall promulgate regulations consistent with Section 131(o), Title 23, United States Code, or such other provisions of Title 23 as may be appropriate, to allow signs, displays, and devices on federally-aided primary routes outside of nonurban areas which (1) provide directional information about goods and services in the interest of the traveling public and (2) are such that removal would work an economic hardship in such areas. Pursuant to Section 131(o), Title 23, United States Code, the department shall submit these regulations to the United States Secretary of Transportation for approval.

HISTORY: 1992 Act No. 473, Section 6; 1993 Act No. 181, Section 1530.

SECTION 57-25-190. Compensation for removal of signs; relocation of signs affected by highway projects.

(A) The Department of Transportation may acquire by purchase, gift, or condemnation and shall pay just compensation upon the removal of the following outdoor advertising signs:

(1) those lawfully in existence on November 3, 1971;

(2) those lawfully erected after November 2, 1971.

(B) Compensation may be paid only for the taking from the owner of:

(1) a sign of all right, title, leasehold, and interest in it;

(2) the real property on which the sign is located of the right to erect and maintain a sign on it.

(C) No sign may be removed until the owner of the property on which it is located has been compensated fully for a loss which may be suffered by him as a result of the removal of the sign through the termination of a lease or other financial arrangement with the owner of the sign. The compensation must include damage to the landowner's property occasioned by the removal of the sign. The Department of Transportation is limited to an expenditure of five million dollars for the state's part of just compensation.

(D) Tourist oriented directional signs must be the last to be removed under the terms of this article.

(E) Notwithstanding a county or municipal zoning plan, ordinance, or resolution, outdoor advertising signs conforming to Section 57-25-110, et seq., affected by state highway projects may be relocated pursuant to the federal uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.) to a position which is perpendicular to the right of way of the original sign site, or may be altered so that no portion of the sign overhangs the right of way.

HISTORY: 1962 Code Section 33-591.6; 1971 (57) 2061; 1987 Act No. 173 Section 41; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530; 2000 Act No. 302, Section 1.

SECTION 57-25-195. Department to confer with Federal Highway Administration; submission of plan to Administration; consultation with interested parties.

In order to comply with Section 131, Title 23, United States Code and regulations promulgated under that section and to prevent interruption of the state's federally-aided highway funding, the Department of Transportation shall confer with the Federal Highway Administration as to how best to structure a nonconforming sign removal program.

The department shall submit to the Federal Highway Administration in a timely fashion its process, program, and timetable for removal of nonconforming signs under Section 131, Title 23, United States Code and regulations promulgated under that section.

In developing and implementing this removal program the department shall consult with interested parties and affected entities including, but not limited to, other state and local agencies, sign owners, environmental groups, and the business community.

HISTORY: 1992 Act No. 473, Section 7; 1993 Act No. 181, Section 1530.

SECTION 57-25-200. Agreements with other authorities as to control of advertising in areas adjacent to interstate and primary highway systems.

(A) Within the requirements of this article the commission may enter into agreements with other governmental authorities relating to the control of outdoor advertising in areas adjacent to the interstate and primary highway systems, including the establishment of information centers and safety rest areas and take action in the name of the State to comply with the terms of the agreements.

(B) If an agreement is not achieved, the Attorney General of this State promptly shall initiate proceedings under the provisions of Section 131(1) of Title 23 of the United States Code with respect to hearings, stay of penalties, and judicial review in order to resolve the disagreement by judicial determination. He also shall initiate the proceedings if there is a determination to withhold funds from this State for its alleged failure to comply with any provision of Section 131 in order to obtain a judicial determination of whether this article provides effective control of outdoor advertising in conformity with the section and, if not, the extent of modifications necessary to bring it into compliance.

HISTORY: 1962 Code Section 33-591.9; 1971 (57) 2061; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530.

SECTION 57-25-210. Expenditures for removal dependent upon availability of federal funds and agreement with Secretary of Transportation.

The commission is not required to expend funds for the removal of outdoor advertising under this article until federal funds are made available to the State for the purpose of carrying out the provisions of this article and the commission has entered into an agreement with the Secretary of Transportation as authorized by Section 57-25-200 and as provided by the Highway Beautification Act of 1965.

HISTORY: 1962 Code Section 33-591.10; 1971 (57) 2061; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530.

SECTION 57-25-220. Rule of construction.

Nothing in this article abrogates or affects the provisions of a lawful ordinance, regulation, or resolution which is more restrictive than the provisions of this article.

HISTORY: 1962 Code Section 33-591.8; 1971 (57) 2061; 1990 Act No. 519, Section 1; 1993 Act No. 181, Section 1530.

ARTICLE 5

Andrew Pickens Scenic Parkway

SECTION 57-25-410. Definitions.

As used in this article:

(a) "The highway" means that recently constructed portion, portion under construction or portion to be constructed, of State Highway No. 11, which has been designated as the Andrew Pickens Scenic Parkway.

(b) "Sign" or "outdoor advertising sign" means any outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main-traveled way of the highway.

(c) "Unzoned commercial or industrial area" means the lands occupied by the regularly used buildings, parking lots, storage or processing areas of at least one distinct commercial or industrial activity, and those lands lying along the highway for a distance of seven hundred and fifty feet immediately adjacent to the outermost or end activity. All measurements shall be from the outer edges of the regularly used buildings, parking lots, storage or processing areas of the activities, not from the property line of the activities, and shall be measured parallel to the edge of the highway pavement. An unzoned area, as defined herein, shall not include land predominantly used for residential properties, and land zoned by the State or local law, regulations or ordinance.

(d) "Commercial or industrial activities" means those established activities generally recognized as commercial or industrial by zoning authorities within the area affected by this article, except that none of the following shall be considered commercial or industrial activities:

- (1) Outdoor advertising structures.
- (2) Agricultural, forestry, ranching, grazing, farming, wayside produce stands and related activities.
- (3) Activities conducted in a building principally used as a residence.
- (4) Railroad tracks and minor sidings.

HISTORY: 1962 Code Section 33-595; 1969 (56) 187.

SECTION 57-25-420. Information required on signs.

On or before January 1, 1970 all advertising signs, displays, or devices, or the structures on which they are displayed, shall have stated thereon the name and address of the owner thereof and the month, day and year when the sign was erected, and the name and address of the owner of the property upon which such sign, display or device is located.

HISTORY: 1962 Code Section 33-595.8; 1969 (56) 187.

SECTION 57-25-430. Permitted outdoor advertising signs.

(a) No outdoor advertising sign shall be erected or maintained within three hundred feet of the nearest edge of the right-of-way and visible from the main-traveled way of the highway, except the following:

- (1) Official signs and notices erected and maintained by the State or local governmental authorities pursuant to laws or ordinances for the purpose of carrying out an official duty or responsibility, and historical markers authorized by law and erected by State or local governmental authorities or nonprofit historical societies.
- (2) Public utility warning and informational signs, notices and markers which are customarily erected and maintained by publicly or privately owned utilities as essential to their operations.
- (3) Signs and notices of service clubs and religious organizations relating to meetings of nonprofit service clubs or charitable organizations or associations, or religious services; provided, that such signs do not exceed eight square feet in area.
- (4) Directional signs containing directional information about public places owned and operated by Federal, State or local governments, public or privately owned natural phenomena, historical, cultural, educational and religious sites, and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the public interest.
- (5) Signs, displays and devices advertising the sale or lease of property upon which they are located.
- (6) On premises signs, displays and devices advertising activities conducted on the property upon which they are located.
- (7) Signs, displays and devices located in areas which are zoned industrial or commercial under authority of State law.
- (8) Signs, displays and devices located in unzoned commercial or industrial areas.

(b) Signs shall not be permitted in any of the above categories which imitate or resemble any official traffic sign, signal or device; signs which are erected or maintained upon trees or are printed or drawn upon rocks or other natural features; or signs which are in disrepair.

(c) No sign permitted under items (a)(7) and (a)(8) of this section shall exceed a maximum area of size of twelve hundred square feet, a maximum length of sixty feet, or a maximum height of thirty feet. Signs permitted under items (a)(1), (a)(2) and (a)(4) of this section may not exceed a maximum area of one hundred and fifty square feet. All such dimensions shall include border, trim, cutouts and extensions, but shall exclude decorative bases and supports. Double-faced, back-to-back, or V-type signs shall be considered as one sign. Two sign panels facing in the same direction may be erected on the same structure, provided that the total area of both panels does not exceed the aforesaid maximum.

(d) No sign permitted under this section may be located in such a manner as to obscure or otherwise interfere with the effectiveness of an official traffic sign, signal or device, nor obstruct or interfere with the driver's view of approaching, merging or intersecting traffic; also, no such sign except on premises and FOR SALE or LEASE signs may be located within three hundred feet of any of the following which are adjacent to the highway in areas outside of incorporated municipalities or within one hundred feet on sections inside municipalities.

- (1) Public parks of ten acres or more.

(2) Public forests.

(3) Public playgrounds.

(4) Scenic areas designated by the Department of Transportation or other state agency having and exercising such authority.

(e) No sign structure permitted under items (a)(7) and (a)(8) of this section shall be erected within five hundred feet of another such sign structure on the same side of the highway. This subsection shall not apply to advertising displays which are separated by a building or other obstruction in such a manner that only one display located within the minimum spacing distance set forth herein is visible from one point on the highway at any one time.

(f) No sign permitted under this section shall contain, include, or be illuminated by any flashing, intermittent, or moving light or lights, except those giving public service information, such as time, date, temperature, weather, or other similar information. Also, no such sign permitted under this section shall be erected or maintained which is not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the main-traveled way of the highway and which is of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which may otherwise interfere with any driver's operation of a motor vehicle. No such sign may be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.

(g) The standards contained in this section pertaining to size, shape, description, lighting, and spacing of outdoor advertising signs permitted in zoned and unzoned commercial and industrial areas shall not apply to such signs lawfully in place on May 6, 1969, nor to such signs erected within six months thereafter under a lease dated prior to May 6, 1969 and recorded on the records of the respective clerk of court or register of mesne conveyance of the county.

HISTORY: 1962 Code Section 33-595.1; 1969 (56) 187; 1993 Act No. 181, Section 1531.

SECTION 57-25-440. Permits for erection and maintenance of signs.

The Department of Transportation is hereby authorized to issue permits for the erection and maintenance of outdoor advertising signs coming within the exceptions contained in subsections (a)(1), (a)(2), (a)(3) and (a)(4) of Section 57-25-430, consistent with the safety and welfare of the traveling public, and as may be necessary to carry out the policy declared in this article.

HISTORY: 1962 Code Section 33-595.2; 1969 (56) 187; 1993 Act No. 181, Section 1532.

SECTION 57-25-450. Erection and maintenance of illegal advertising device.

Whoever erects or maintains an advertising device in violation of Section 57-25-430 shall be fined not more than one hundred dollars or imprisoned for not more than thirty days.

HISTORY: 1962 Code Section 33-595.6; 1969 (56) 187.

SECTION 57-25-460. Advertising devices violating article declared public nuisances; removal; right of entry for purpose of removal.

(1) Any advertising device which violates the provisions of this article is hereby declared to be a public nuisance and the department shall give sixty days notice, by certified or registered mail, to the owner of the advertising device and to the owner of the property on which such device is located to remove the device. Provided, however, that any sign, display or device lawfully in existence along the highway on September 1, 1965 which is not in conformity with the provisions contained herein shall not be required to be removed until July 1, 1971, except that the Department of Transportation may jointly agree with the owner of any sign or the property owner for the earlier removal of such sign. Any other sign, display or device lawfully erected subsequent to September 1, 1965 and prior to May 6, 1969, which does not conform with the requirements of this article may not be required to be removed until the end of the fifth year after the erection thereof, or after it becomes nonconforming, except that the Department of Transportation may jointly agree with the owner of any sign, or the property owner, for the earlier removal of such sign.

(2) Employees or agents of the Department are hereby authorized to go upon the property upon which a prohibited or nonconforming device is located, after expiration of the sixty day period, for the purpose of removing the advertising device. The period of such notice shall be computed from the date of mailing. No notice, however, shall be required to be given to the owner of an advertising sign, display, or device whose name is not stated thereon or on the structure on which it is displayed as required in Section 57-25-420.

HISTORY: 1962 Code Section 33-595.4; 1969 (56) 187; 1993 Act No. 181, Section 1533.

SECTION 57-25-470. Compensation for removal of signs.

(a) The Department of Highways and Public Transportation may acquire by purchase, gift, or condemnation, and shall pay just compensation upon the removal of the following outdoor advertising signs, displays, and devices:

(1) those lawfully in existence on October 22, 1965;

(2) those lawfully erected on or after May 6, 1969.

(b) Compensation may be paid only for the following:

(1) the taking from the owner of a sign, display, or device of all right, title, leasehold, and interest in the sign, display, or device; and

(2) the taking from the owner of the real property on which the sign, display, or device is located, of the right to erect and maintain signs, displays, and devices.

HISTORY: 1962 Code Section 33-595.5; 1969 (56) 187; 1987 Act No. 173 Section 42.

SECTION 57-25-480. Information signs within right-of-way.

The Department of Transportation may provide within the right-of-way for areas at appropriate distances on which signs, displays and devices giving specific information in the interest of the traveling public may be erected and maintained under standards and regulations hereby authorized to be adopted by the department. Such standards and regulations may provide for cooperative agreements between the Department of Transportation and private interests for the use and display of brand names for FOOD, LODGING and GAS information signs on the highway right-of-way.

HISTORY: 1962 Code Section 33-595.3; 1969 (56) 187; 1993 Act No. 181, Section 1534.

SECTION 57-25-490. Agencies shall cooperate with Department of Transportation.

In order to carry out the provisions of this article and to make the highway a scenic highway, the State Forestry Commission, the Department of Parks, Recreation and Tourism, and all other state agencies or governmental entities shall cooperate with the Department of Transportation.

HISTORY: 1962 Code Section 33-595.9; 1969 (56) 187; 1993 Act No. 181, Section 1535.

SECTION 57-25-500. Rule of construction.

Nothing in this article shall be construed to abrogate or affect the provisions of any lawful ordinance, regulations or resolution, which are more restrictive than the provisions of this article.

HISTORY: 1962 Code Section 33-595.7; 1969 (56) 187.

ARTICLE 7

John C. Calhoun Memorial Highway

SECTION 57-25-610. Definitions.

As used in this article:

(a) "The Highway" means the John C. Calhoun Memorial Highway.

(b) "Sign" or "outdoor advertising sign" means any outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main-traveled way of the highway.

(c) "Unzoned commercial or industrial area" means the lands occupied by the regularly used buildings, parking lots, storage or processing areas of at least one distinct commercial or industrial activity, and those lands lying along the highway for a distance of seven hundred and fifty feet immediately adjacent to the outermost or end activity. All measurements shall be from the outer edges of the regularly used buildings, parking lots, storage or processing areas of the activities, not from the property line of the activities, and shall be measured parallel to the edge of the highway pavement. An unzoned area, as defined herein, shall not include land predominantly used for residential properties, and land zoned by the State or local law, regulations or ordinance.

(d) "Commercial or industrial activities" means those established activities generally recognized as commercial or industrial by zoning authorities within the area affected by this article, except that none of the following shall be considered commercial or industrial activities:

- (1) Outdoor advertising structures.
- (2) Agricultural, forestry, ranching, grazing, farming, wayside produce stands and related activities.
- (3) Activities conducted in a building principally used as a residence.
- (4) Railroad tracks and minor sidings.

HISTORY: 1962 Code Section 33-595.22; 1969 (56) 362.

SECTION 57-25-620. Portion of United States Highway No. 123 designated as John C. Calhoun Memorial Highway.

That portion of United States Highway No. 123 between the corporate limits of the city of Easley and the town of Clemson is hereby designated as the John C. Calhoun Memorial Highway.

HISTORY: 1962 Code Section 33-595.21; 1969 (56) 362.

SECTION 57-25-630. Information required on signs.

On or before January 1, 1970 all advertising signs, displays, or devices, or the structures on which they are displayed, shall have stated thereon the name and address of the owner thereof and the month, day and year when the sign was erected, and the name and address of the owner of the property upon which such sign, display or device is located.

HISTORY: 1962 Code Section 33-595.30; 1969 (56) 362.

SECTION 57-25-640. Permitted outdoor advertising signs.

(a) No outdoor advertising sign shall be erected or maintained within three hundred feet of the nearest edge of the right-of-way and visible from the main-traveled way of the highway, except the following:

- (1) Official signs and notices erected and maintained by the State or local government authorities pursuant to laws or ordinances for the purpose of carrying out an official duty or responsibility, and historical markers authorized by law and erected by State or local governmental authorities or nonprofit historical societies.
- (2) Public utility warning and informational signs, notices and markers which are customarily erected and maintained by publicly or privately owned utilities as essential to their operations.
- (3) Signs and notices of service clubs and religious organizations relating to meetings of nonprofit service clubs or charitable organizations or associations, or religious services; provided, that such signs do not exceed eight square feet in area.
- (4) Directional signs containing directional information about public places owned and operated by Federal, State or local governments, public or privately owned natural phenomena, historical, cultural, educational and religious sites, and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the public interest.
- (5) Signs, displays and devices advertising the sale or lease of property upon which they are located.
- (6) On premises signs, displays and devices advertising activities conducted on the property upon which they are located.
- (7) Signs, displays and devices located in areas which are zoned industrial or commercial under authority of State law.
- (8) Signs, displays and devices located in unzoned commercial or industrial areas.

(b) Signs shall not be permitted in any of the above categories which imitate or resemble any official traffic sign, signal or device; signs which are erected or maintained upon trees or are printed or drawn upon rocks or other natural features; or signs which are in disrepair.

(c) No sign permitted under items (a) (7) and (a) (8) of this section shall exceed a maximum area of size of twelve hundred square feet, a maximum length of sixty feet, or a maximum height of thirty feet. Signs permitted under items (a) (1), (a) (2) and (a) (4) of this section may not exceed a maximum area of one hundred and fifty square feet. All such dimensions shall include border, trim, cutouts and extensions, but shall exclude decorative bases and supports. Double-faced, back-to-back, or V-type signs shall be considered as one sign. Two sign panels facing in the same direction may be erected on the same structure, provided that the total area of both panels does not exceed the aforesaid maximum.

(d) No sign permitted under this section may be located in such a manner as to obscure or otherwise interfere with the effectiveness of an official traffic sign, signal or device, nor obstruct or interfere with the driver's view of approaching, merging or intersecting traffic; also, no such sign except on premises and FOR SALE or LEASE signs may be located within three hundred feet of any of the following which are adjacent to the highway in areas outside of incorporated municipalities or within one hundred feet on sections inside municipalities.

(1) Public parks of ten acres or more.

(2) Public forests.

(3) Public playgrounds.

(4) Scenic areas designated by the Department of Transportation or other state agency having and exercising such authority.

(e) No sign structure permitted under items (a) (7) and (a) (8) of this section shall be erected within five hundred feet of another such sign structure on the same side of the highway. This subsection shall not apply to advertising displays which are separated by a building or other obstruction in such a manner that only one display located within the minimum spacing distance set forth herein is visible from one point on the highway at any one time.

(f) No sign permitted under this section shall contain, include, or be illuminated by any flashing, intermittent, or moving light or lights, except those giving public service information, such as time, date, temperature, weather, or other similar information. Also, no such sign permitted under this section shall be erected or maintained which is not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the main-traveled way of the highway and which is of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which may otherwise interfere with any driver's operation of a motor vehicle. No such sign may be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device or signal.

(g) The standards contained in this section pertaining to size, shape, description, lighting, and spacing of outdoor advertising signs permitted in zoned and unzoned commercial and industrial areas shall not apply to such signs lawfully in place on June 11 1969, nor to such signs erected within six months thereafter under a lease dated prior to June 11 1969 and recorded on the records of the respective clerk of court or register of mesne conveyance of the county.

HISTORY: 1962 Code Section 33-595.23; 1969 (56) 362; 1993 Act No. 181, Section 1536.

SECTION 57-25-650. Permits for erection and maintenance of signs.

The Department of Transportation is hereby authorized to issue permits for the erection and maintenance of outdoor advertising signs coming within the exception contained in subsections (a) (1), (a) (2), (a) (3) and (a) (4) of Section 57-25-640, consistent with the safety and welfare of the traveling public, and as may be necessary to carry out the policy declared in this article.

HISTORY: 1962 Code Section 33-595.24; 1969 (56) 362; 1993 Act No. 181, Section 1537.

SECTION 57-25-660. Erection and maintenance of illegal advertising device.

Whoever erects or maintains an advertising device in violation of Section 57-25-640 shall be fined not more than one hundred dollars or imprisoned for not more than thirty days.

HISTORY: 1962 Code Section 33-595.28; 1969 (56) 362.

SECTION 57-25-670. Advertising devices violating article declared public nuisances; removal; right of entry for purpose of removal.

(1) Any advertising device which violates the provisions of this article is hereby declared to be a public nuisance and the department shall give sixty days' notice, by certified or registered mail, to the owner of the advertising device and to the owner of the property on which such device is located to remove the device. Provided, however, that any sign, display, or device lawfully in existence along the highway on September 1, 1965, which is not in conformity with the provisions contained herein, shall not be required to be removed until July 1, 1971, except that the Department of Transportation may jointly agree with the owner of any sign or the property owner for the earlier removal of such sign. Any other sign, display, or device lawfully erected subsequent to September 1, 1965, and prior to June 11, 1969, which does not conform with the requirements of this article may not be required to be removed until the end of the fifth year after the erection thereof, or after it becomes nonconforming, except that the Department of Transportation may jointly agree with the owner of any sign, or the property owner, for the earlier removal of such sign.

(2) Employees or agents of the Department are hereby authorized to go upon the property upon which a prohibited or nonconforming device is located, after expiration of the sixty-day period, for the purpose of removing the advertising device. The period of such notice shall be computed from the date of mailing. No notice, however, shall be required to be given to the owner of an advertising sign, display, or device whose name is not stated thereon or on the structure on which it is displayed as required in Section 57-25-630.

HISTORY: 1962 Code Section 33-595.26; 1969 (56) 362; 1993 Act No. 181, Section 1538.

SECTION 57-25-680. Compensation for removal of signs.

(a) The Department of Highways and Public Transportation may acquire by purchase, gift, or condemnation, and shall pay just compensation upon the removal of the following outdoor advertising signs, displays, and devices:

(1) those lawfully in existence on October 22, 1965;

(2) those lawfully erected on or after June 11, 1969.

(b) Compensation may be paid only for the following:

(1) the taking from the owner of the sign, display, or device of all right, title, leasehold, and interest in the sign, display, or device; and

(2) the taking from the owner of the real property on which the sign, display, or device is located, of the right to erect and maintain signs, displays, and devices.

HISTORY: 1962 Code Section 33-595.27; 1969 (56) 362; 1987 Act No. 173 Section 43.

SECTION 57-25-690. Information signs within right-of-way.

The Department of Transportation may provide within the right-of-way for areas at appropriate distances on which signs, displays and devices giving specific information in the interest of the traveling public may be erected and maintained under standards and regulations hereby authorized to be adopted by the Department of Transportation. Such standards and regulations may provide for cooperative agreements between the Department of Transportation and private interests for the use and display of brand names for FOOD, LODGING and GAS information signs on the highway right-of-way.

HISTORY: 1962 Code Section 33-595.25; 1969 (56) 362; 1993 Act No. 181, Section 1539.

SECTION 57-25-700. Markers; agencies shall cooperate with Department of Transportation.

In order to carry out the provisions of this article and to make the highway a scenic highway, the Department of Transportation shall provide for appropriate markers designating the highway as the John C. Calhoun Memorial Highway, and the State Forestry Commission, the Department of Parks, Recreation and Tourism and all other state agencies or governmental entities shall cooperate with the Department of Transportation.

HISTORY: 1962 Code Section 33-595.31; 1969 (56) 362; 1993 Act No. 181, Section 1540.

SECTION 57-25-710. Rule of construction.

Nothing in this article shall be construed to abrogate or affect the provisions of any lawful ordinance, regulations or resolution, which are more restrictive than the provisions of this article.

HISTORY: 1962 Code Section 33-595.29; 1969 (56) 362.

ARTICLE 8

Agritourism and Tourism-Oriented Signage Program

SECTION 57-25-800. Definitions.

As used in this article:

- (1) "Agritourism-oriented facility" means a type of location where an agritourism activity, as defined in Section 46-53-10(1), is carried out by an agritourism professional, as defined in Section 46-53-10(2), or another type of agricultural facility recommended by the Department of Agriculture and incorporated into regulations of the Department of Transportation pursuant to Section 57-25-830(A).
- (2) "Tourism-oriented facility" means a type of facility recommended by the Department of Parks, Recreation and Tourism and incorporated into regulations of the Department of Transportation pursuant to Section 57-25-830(A).
- (3) "Conventional highway" means a highway with at-grade intersections and without control of access.
- (4) "Rural" means an area outside the limits of an incorporated municipality having a population of five thousand or more according to the most recent decennial census of the United States Bureau of Census.

HISTORY: 2012 Act No. 224, Section 1, eff June 18, 2012.

SECTION 57-25-810. Creation of program to provide directional signs leading to tourism and agritourism facilities; regulations.

In an effort to promote and assist South Carolina facilities that have an interest in educating, sharing, and selling their programs and products to the general public, the Department of Transportation is directed to create and supervise a coordinated, self-funded, statewide program related to providing directional signs along certain of the state's rural conventional highways and noninterstate scenic byways leading to agritourism and tourism-oriented facilities. The statewide program shall be operated according to standards and regulations consistent with the Manual on Uniform Traffic Control Devices authorized to be adopted and promulgated by the Department of Transportation. The standards and regulations may provide for the use of official logos developed by the Department of Parks, Recreation and Tourism and the Department of Agriculture in compliance with the federal Manual on Uniform Traffic Control Devices. The standards and regulations also may provide for cooperative agreements between the department and private interests for the administration of the program and for the use and display of names for tourism and agritourism information signs on the highway right of way.

HISTORY: 2012 Act No. 224, Section 1, eff June 18, 2012.

Editor's Note

2012 Act No. 224, Section 2, provides as follows:

"The Department of Agriculture and the Department of Parks, Recreation and Tourism must develop logos to be utilized for the signage authorized by this act. The logos developed may be used by those departments for other promotional purposes associated with tourism and agritourism."

SECTION 57-25-820. Department of Transportation responsibility for signs; coordination with other departments; criteria for selection of qualified agritourism facilities; approval of applications for signs.

- (A) The Department of Transportation shall be responsible for the erection and maintenance of the official signs giving specific information to the traveling public providing directions to agritourism and tourism-oriented facilities. All signs must conform to department rules and regulations regarding the size and placement of the signs and be in compliance with all federal and state regulations.
- (B) The Department of Transportation shall coordinate with the Department of Agriculture and the Department of Parks, Recreation and Tourism, as applicable, to allow those departments to promote agritourism and tourism-oriented facilities participating in this directional signage program.
- (C) The criteria for selection of qualified agritourism facilities shall be recommended by the Department of Agriculture and incorporated into regulations of the Department of Transportation pursuant to Section 57-25-830(A). The criteria for selection of qualified tourism facilities shall be recommended by the Department of Parks, Recreation and Tourism and incorporated into regulations of the Department of Transportation pursuant to Section 57-25-830(A).
- (D) The approval of applications for signs for agritourism and tourism-oriented facilities must be determined by an oversight committee. The oversight committee shall consist of the following members and shall meet at the call of the chairman semiannually to consider applications for signage:
 - (1) Secretary of the Department of Transportation, or his designee, serving as chairman;
 - (2) Director of the Department of Parks, Recreation and Tourism, or his designee;
 - (3) Commissioner of the Department of Agriculture, or his designee;
 - (4) President of the South Carolina Association of Tourism Regions (SCATR), or his designee, and a member of SCATR appointed by its president;
 - (5) President of the South Carolina Travel and Tourism Coalition, or his designee, and a member of the SCTTC appointed by its president; and
 - (6) President of the Outdoor Advertising Association of South Carolina, or his designee, and a member of the Outdoor Advertising Association appointed by its president.

HISTORY: 2012 Act No. 224, Section 1, eff June 18, 2012.

SECTION 57-25-830. Submission of application; costs, installation, and maintenance of signs.

(A) Qualified facilities which elect to participate in the directional signage program must submit an application to the Department of Transportation on a form to be supplied by the department. Eligibility and approval to participate in the signage program must be determined by written criteria to be set forth by the Department of Transportation in regulation.

(B) Participating facilities are responsible for the cost of the signs and their installation and maintenance.

HISTORY: 2012 Act No. 224, Section 1, eff June 18, 2012.

Legislative Services Agency
<http://www.scstatehouse.gov>

Katie Smith

From: Barbara-and-Tony Adams <uggee10@gmail.com>
Sent: Tuesday, August 18, 2020 9:28 AM
To: Katie Smith
Subject: Public Hearing For Ordinance 2020-09

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you validate the sender and know the content is safe.

I would like for my comments to be read into the record during the Public Hearing for Ordinance 2020-09, An Ordinance Amending the Sign Control Ordinance for Oconee, South Carolina.

I am opposed to this Ordinance, specifically the moratorium on billboards, for the following reasons.

First, this proposed Ordinance is a clear example of government overreach and overregulation. This fact is supported by the fact that the Oconee Planning Commission refused to endorse this Ordinance simply because it was the Planning Commission's position that the County's current Ordinances and Regulations for sign control were adequate. Hence, Mr. Cain's proposed Ordinance is clearly overreach and overregulation. We have more government and regulation than we need now. Let's not add to this burden, especially with something as unnecessary as Ordinance 2020-09.

Second, this proposed Ordinance is a clear infringement on private property rights and a property owner's ability to earn income from their property. Specifically, if an individual owns property and a media company should want to place a billboard on this property which would be allowed under the County's current sign control ordinance, and this request is denied simply because of the Billboard Moratorium included in Mr. Cain's proposed ordinance, this is a clear infringement on private property rights and hinders the property owner from deriving income from their property. Would this billboard moratorium pass legal scrutiny?

Third, the issue of signs being safety hazards has been brought up. In my almost 70 years on this old earth I have never had a safety issue with a properly constructed, sized and placed billboard. On the other hand, I have had safety issues with smaller signs installed closer to the traffic flow that may impede the view of oncoming traffic, etc.

Mr. Cain has stated that his only motive for proposing this ordinance was to insure the aesthetic beauty of Oconee, and I certainly agree that we need to protect the natural beauty of Oconee, but the overreach and overregulation in this proposed ordinance coupled with the dilution of private property rights greatly outweighs the need for this unnecessary ordinance.

Respectfully,

Tony Adams



**PUBLIC HEARING
SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: August 18, 2020 6:00 p.m.**

Ordinance 2020-10 "AN ORDINANCE AMENDING THE ENFORCEMENT AND PENALTY PROVISIONS OF THE "LITTER CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA."

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Everyone speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

Public comment during a public hearing is not limited to four minutes per person.

Sign up sheets will be available thirty minutes prior to the hearing for those interested in addressing Council.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

Please PRINT your name

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(A large handwritten signature is written across the table, starting from row 12 and extending diagonally across the remaining rows.)